

# Virtual School Operations

Evaluation Report  
March 2007

Office of Performance Evaluations  
Idaho Legislature



Report 07-02

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Clifford R. Bayer

Rakesh Mohan, Director  
Office of Performance Evaluations

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Office of Performance Evaluations

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# Office of Performance Evaluations Idaho Legislature

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Oversight Committee**

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Clifford R. Bayer

March 5, 2007

Members  
Joint Legislative Oversight Committee  
Idaho Legislature

Last August you directed us to review the operations of Idaho's virtual charter schools. The legislative intent for charter schools is to provide more flexibility in daily operations by making use of different and innovative teaching methods and providing parents and students with expanded educational opportunities. For this flexibility to work, the state needs to provide clear guidelines and establish an oversight mechanism for virtual school operations.

The current definitions relating to virtual schools in Idaho Code do not provide a framework for virtual schools to operate within. We found wide variations in virtual school operations. Although a multi-step process exists for the approval of a new charter school, only a few processes are in place to oversee a virtual school once it is approved. Neither approval nor oversight takes into account three key areas of virtual school operations: curriculum development, delivery of instruction, and the types and frequency of communication between students and teachers.

To address our findings, we provide eight recommendations for the Legislature, the State Board of Education, and the Public Charter School Commission.

We appreciate the cooperation and assistance we received from the State Board of Education, the State Department of Education, the Public Charter School Commission, and the four virtual schools we visited.

Sincerely,

A handwritten signature in blue ink that reads "Rakesh Mohan".

Rakesh Mohan



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# *Executive Summary*

# **Virtual School Operations**

## **Background**

Charter schools were first authorized in Idaho in 1998. In 2004 Idaho charter school law was amended to add a definition of “public virtual school.” Idaho currently has four virtual schools:

- Idaho Distance Education Academy (based in Bovill)
- Idaho Virtual Academy (based in Boise)
- INSPIRE Connections Academy (based in Boise)
- Richard McKenna Charter High School (based in Mountain Home)

Collectively, these schools enroll approximately 3,600 students throughout the state and serve grades K–12. Three of the schools are authorized by the Public Charter School Commission and one, I-DEA, is authorized by the Whitepine Joint District.

Responding to requests from members of the Senate and House Education Committees, the Joint Legislative Oversight Committee (JLOC) directed our office to review the operations of virtual charter schools in Idaho at its August 2006 meeting.

## **Findings and Conclusions**

As part of our study, we surveyed all parents of children enrolled at Idaho’s four virtual schools and all teachers employed at those schools. We received responses from over 900 parents (40 percent response rate) and nearly 90 teachers (61 percent response rate). Our survey results show that both parents and teachers are very satisfied with their overall experiences at their virtual school.

Virtual education is a relatively new concept and differs significantly from a traditional classroom model. As charter schools, virtual schools are provided with more flexibility in their daily operations to allow them to make use of different and innovative teaching methods and to provide parents and students

with expanded educational opportunities. However, clear guidelines for operations and an oversight mechanism must be in place for this flexibility to work effectively in accomplishing legislative intent for charter schools.

The current definitions relating to virtual schools in Idaho Code do not provide a framework for these schools to operate within. As a result, we found wide variations in virtual school operations. Although a multi-step process exists for the approval of a new charter school, only a few processes are in place to oversee a virtual school once it has been approved. Neither the approval nor the oversight process takes into account three key areas of virtual school operations: curriculum development, delivery of instruction, and the types and frequency of communication between students and teachers.

## **Summary of Recommendations**

We provide eight recommendations for the Legislature, the Board of Education, and the Public Charter School Commission. If implemented, these recommendations will help to clarify requirements and strengthen the oversight process for virtual school operations.

### ***Clarify Requirements***

1. The Legislature should clarify the definition of a public virtual school to make a distinction between virtual schools and virtual programs, and to address the role of the teacher, curriculum development, and how instruction is delivered.
2. The Legislature should require that all virtual schools be approved only by the Public Charter School Commission.
3. The Legislature should consider additional annual reporting requirements for virtual schools. These requirements may include a discussion of the school's curriculum, academic performance, special education services, and operational efficiency.
4. The Legislature should address whether *any* public school that uses virtual distance learning as part of its method of instruction be subject to operating requirements and oversight similar to those of virtual schools.

### ***Strengthen the Oversight Process***

5. The Board of Education should amend rules to require petitioners to address or respond to the Department of Education's findings in the sufficiency review.

6. The Board of Education should seek clarification as to what specific sections of board rule apply to charter schools, including virtual schools.
7. The Public Charter School Commission should include all petition requirements (specified in rule) in the checklists it uses to review new charter petitions.
8. The Public Charter School Commission should analyze the relationship between variations in virtual school operations and student outcomes.

## Areas for Future Study

We have provided two areas for future study:

- Review the *local* governance structure and oversight provided at each of Idaho's virtual schools
- Conduct a more in depth review of virtual school funding and expenditures

## Agency Response

Written responses from the Board of Education, the Department of Education, and the Public Charter School Commission are at the end of this report. Both the board and the commission generally concur with our recommendations and have briefly outlined their plan of implementation. The department said it was willing to provide enhanced technical assistance during the review process.

## Acknowledgements

We appreciate the assistance we received from the Board of Education, the Department of Education, the Public Charter School Commission, and the four virtual schools we visited. We also appreciate the input we received from the Budget and Policy Analysis Division in the Legislative Services Office and the Division of Financial Management in the Office of the Governor.

Amy Lorenzo (team lead) and Sean Borzea of the Office of Performance Evaluations conducted the study. Carrie Parrish and Brekke Wilkinson assisted with research. Ned Parrish performed quality control and Margaret Campbell was the copy editor and desktop publisher.

Additional assistance was provided by three consultants:

- Kathleen Sullivan, Ph.D., former Professor and Director of the Center for Educational Research and Evaluation, University of Mississippi, Oxford, Mississippi
- Maria Whitsett, Ph.D., Executive Director of the Office of Accountability, Austin Independent School District, Austin, Texas
- Nancy Zajano, Ph.D., Director of the Evaluation and Policy Research Group, Learning Point Associates, Chicago, Illinois

# Chapter 1

## Introduction

*In 2006 legislators expressed interest in gaining a better understanding of how Idaho's four public virtual charter schools are structured, what oversight and requirements exist to govern them, and how they operate. This evaluation focuses on the similarities and differences among the four virtual schools, how they meet existing requirements, and how operations vary in areas that have minimal requirements.*

### Overview of Virtual Charter Schools in Idaho

Charter schools were authorized by the Idaho Legislature in 1998. Original legislative intent stated the purpose of charter schools was to improve student learning, expand learning experiences and choices, and include the use of different and innovative teaching methods.<sup>1</sup> Additional legislative intent was added in 2001 that allowed charter schools to “utilize virtual distance learning and on-line learning.”<sup>2</sup> Legislation in 2004 formed the Public Charter School Commission that now serves as the authorizing entity for all new virtual charter schools. In 2004 the Legislature also created a definition of public virtual schools, providing the initial framework for the operations of these schools.

Idaho currently has four virtual schools. Three schools, Idaho Virtual Academy, INSPIRE Connections Academy, and Richard McKenna Charter High School, are authorized by the Public Charter School Commission. One school, the Idaho Distance Education Academy, is authorized as a virtual school by the Whitepine Joint District. Each of these schools will be discussed in more detail in chapter 2.

### Legislative Interest and Study Mandate

Responding to requests from members of the Senate and House Education Committees, the Joint Legislative Oversight Committee (JLOC) directed our office to review the oversight and operations of virtual schools in Idaho at its August 2006 meeting. JLOC also directed us to review the current funding

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<sup>1</sup> IDAHO CODE § 33-5202(1)–5502(3).

<sup>2</sup> IDAHO CODE § 33-5202(4).

structure of virtual schools, including revenues and expenditures, contracting, and financial oversight. This funding and expenditure area will need further study once the criteria for virtual schools are defined more clearly. Statute exempts school districts (including charter schools) from bidding requirements for the purchase of curricular materials and personal or professional service contracts. Guidelines do not address what materials or contracts are appropriate for virtual school operations.

This evaluation focuses on the following areas:

- How are virtual schools in Idaho defined? How do these definitions compare to those in other states?
- What requirements exist for virtual schools? How do those requirements compare to traditional public schools and brick and mortar charter schools?
- What oversight mechanisms are in place to ensure virtual schools meet these requirements?
- Given the current laws and rules governing virtual schools, how are Idaho's four virtual schools operating?

## Methodology

This project was initially designed to compare virtual schools to traditional public schools and brick and mortar charter schools. Early field work revealed that virtual schools vary significantly in key areas of their operations and cannot be collectively grouped or categorized. Rather, given the current flexibilities that exist within law and rule, our fieldwork focused on the variations among the schools to provide legislators with a better understanding of how they operate. To achieve that goal, our methodology included these tasks:

- Requested and received an analysis from the Office of the Attorney General regarding the clarity and comprehensiveness of current definitions for virtual distance learning and online technologies.
- Conducted site visits to at least one family and one teacher from each of the four schools. Because the majority of teachers and families work from home, we asked each of the schools to provide contact information for families and teachers who would be comfortable with us observing their learning/teaching environment. We visited families and teachers in Boise, Eagle, Meridian, Mountain Home, and Nampa. While visiting staff, we observed teachers communicating with students and parents, preparing lesson plans, and grading work. While visiting families, we observed parents working with their children on lessons, answering questions related



to work, submitting attendance information, and preparing samples of student work to be submitted to their teacher.

- Surveyed *all* parents of students enrolled at each of the four virtual schools. Administrators from each of the four virtual schools, staff from the Department of Education, and staff from the Office of the State Board of Education reviewed the survey prior to its distribution. Using a web-based format, we sent the survey to all parents who had a valid e-mail address. Of 2,281 surveys sent, we received responses from 906 families, for an overall response rate of 40 percent: Idaho Distance Education Academy (302 responses or 55 percent), Idaho Virtual Academy (497 responses or 40 percent), INSPIRE (32 responses or 39 percent), and Richard McKenna (75 responses or 15 percent).<sup>3</sup> Although some families had more than one student enrolled at a virtual school, survey responses were limited to one per household.
- Surveyed *all* teachers at each of the four virtual schools. Administrators from each of the four virtual schools, staff from the Department of Education, and staff from the Office of the State Board of Education reviewed the survey prior to its distribution. Using a web-based format, we sent the survey to all teachers who had a valid e-mail address. Of 88 surveys sent, we received responses from 54 teachers, for an overall response rate of 61 percent: Idaho Distance Education Academy (12 responses or 100 percent), Idaho Virtual Academy (30 responses or 58 percent), INSPIRE (4 responses or 80 percent), and Richard McKenna (8 responses or 42 percent).
- Reviewed virtual schools in six neighboring states—Montana, Nevada, Oregon, Utah, Washington, and Wyoming. Reviewed seven additional states—Alaska, Arizona, Florida, Kansas, Minnesota, Ohio, and Pennsylvania. These seven states were chosen based on their large number of virtual schools, because their virtual schools are structured similarly to Idaho, or a combination of both.
- Conducted a limited review of how virtual schools categorize their spending. This review was based on information each school provided, and was used solely to compare differences in certain spending categories.
- Interviewed administrators at each of the four schools and commissioners of the Idaho Public Charter School Commission.

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<sup>3</sup> Richard McKenna enrolls students in nine-week courses, which increased the cumulative enrollment and the number of parents who received a survey. Because some students were no longer taking a course when our survey was distributed, the overall response to the survey might have been limited primarily to families who were actively enrolled, resulting in a lower overall response rate for this school.

- Reviewed relevant sections of Idaho Code and Board of Education rules, as well as state accreditation requirements for public schools. Reviewed various policy and procedure manuals, both for parents and for teachers, from each of the four schools. We also reviewed documents related to overall school operations.
- Reviewed relevant federal laws and regulations to better understand virtual schools operations in a national context.
- Reviewed literature regarding the development of virtual schools, recent legislation, and mechanisms for more clearly defining education in a virtual setting.
- Worked with officials from legislative offices and state agencies and contracted with consultants for technical assistance.

## Chapter 2

# Profile of Virtual Schools

*Virtual education is new in Idaho and across the country. Idaho currently has four virtual charter schools that enroll approximately 3,600 students and employ teachers from across the state. Although each of the schools varies in size and structure, each is specifically authorized as a public virtual school. In addition to the four authorized virtual schools, Idaho has other virtual programs, including a statewide supplemental program that offers students additional options for taking courses and at least one brick and mortar charter school operating a virtual component.*

### Virtual Education Can Be Defined in Many Ways

The concept of virtual education can be confusing, given the various terms used to describe it throughout the country. The term ‘virtual’ has several variations, including “‘cyber,’ ‘online,’ or ‘electronic’ (or ‘e-’).”<sup>1</sup> Regardless of the term used, virtual education is generally a home-based approach to education, with computers playing an important role in the educational process. In a virtual setting, there is no classroom. Students and teachers are often in different locations, and information related to instruction and assignments is communicated via the Internet or other technologies. Sometimes, virtual education also includes the use of non-computer related instructional materials such as books, workbooks, and other supplies.

Students learning from home, removed from daily contact with a school or teacher, is a new way of thinking about education. A national publication provides the following synopsis of virtual education:

*Idaho Distance Education Academy*  
= **I-DEA**

*Idaho Virtual Academy*  
= **Virtual Academy**

*INSPIRE Connections Academy*  
= **INSPIRE**

*Richard McKenna Charter High School*  
= **Richard McKenna**

*Idaho Digital Learning Academy*  
= **Digital Learning Academy**

*Idaho Leadership Academy*  
= **Leadership Academy**

<sup>1</sup> Vanourek, Greg, “A Primer on Virtual Charter Schools: Mapping the Electronic Frontier,” *Authorizing Matters (Issue Brief)*, August 2006.

...[V]irtual education uses information and communications technologies to offer educational opportunities in a manner that transcends traditional limitations of time and space with respect to students' relationships with teachers, peers, and instructional materials.<sup>2</sup>

Some states offer virtual *courses* or *programs*, in which students generally do not advance from one grade to the next or graduate solely by completing online courses. Rather, these courses or programs are used to supplement students' enrollment choices. These programs can be provided in various ways, but are housed within another school or district, or are funded directly through the state. For example, in Nevada, a school district or charter school can apply to the state department of education to provide a program of virtual education. Likewise, a school district in Washington may provide a virtual program or course as an "alternative learning experience." In other instances, virtual courses may be offered through a state-led program, such as the Utah Electronic School, which is housed within the Utah state office of education.

## Idaho Has Virtual Schools and Other Programs

For purposes of this report, the term "virtual school" refers to a public virtual charter school in Idaho.<sup>3</sup> In an interview with the director of the Charter School Program at the US Department of Education, he noted that a virtual school should be defined as a stand alone *school* as opposed to an offering of various programs. This criteria for defining a virtual school is comparable to how virtual schools are defined in Idaho. Current Idaho law defines a "public virtual school" as "a public charter school that may serve students in more than one (1) school district and through which the primary method for the delivery of instruction to all of its pupils is through virtual distance learning or online technologies."<sup>4</sup>

Idaho law does not specifically define virtual courses or programs.<sup>5</sup> However, Idaho has created the Idaho Digital Learning Academy as a supplemental program to the traditional classroom learning environment. Although the report's focus is on the four schools that are authorized as virtual schools, the conclusion of this chapter includes a brief description of the Digital Learning Academy, as well as a discussion of one charter school operating a virtual program, but the school is not approved as a virtual school.

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<sup>2</sup> National Forum on Education Statistics, *Forum Guide to Elementary/Secondary Virtual Education* (2006), 3.

<sup>3</sup> The term "public virtual school" appears in statute as public virtual school(s), public virtual charter school(s), and home-based public virtual school.

<sup>4</sup> IDAHO CODE § 33-5202A(6).

<sup>5</sup> IDAHO CODE § 33-1003C allows for participation in individualized computer education or a distance learning program, but does not define either term.

## **Timeline of Virtual Education in Idaho**

Charter schools were first authorized in Idaho in 1998. As exhibit 2.1 shows, Idaho charter school law was amended in 2004 to add a definition of “public virtual school.” Idaho has four virtual schools that meet that definition: Idaho Distance Education Academy (I-DEA), Idaho Virtual Academy, INSPIRE Connections Academy, and Richard McKenna Charter High School. Although Richard McKenna does offer an on-site program for at-risk students, it is operated separately from the virtual school.

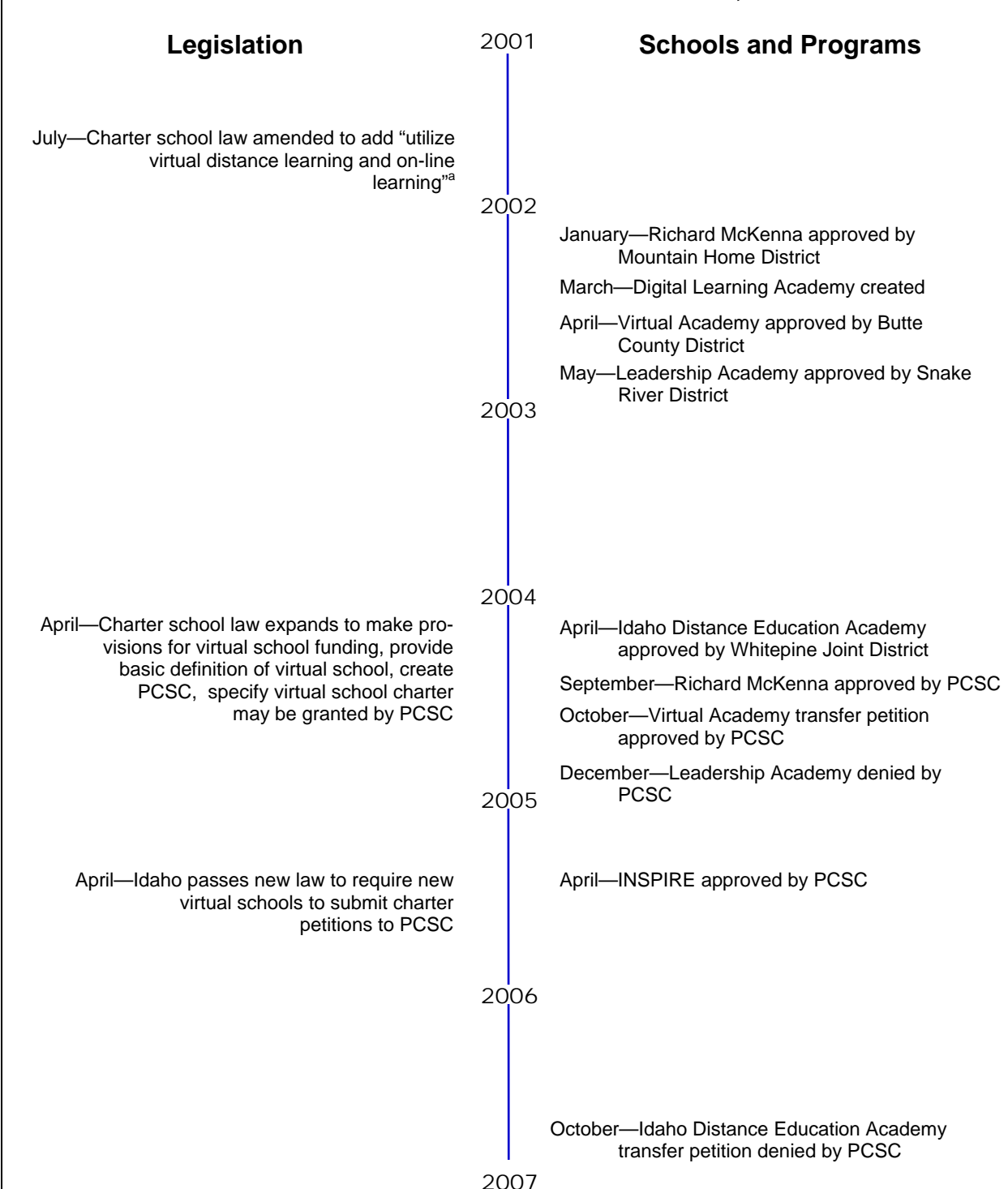
The state’s first virtual schools, Richard McKenna and Virtual Academy, began operations in 2002. In 2004 Richard McKenna, originally authorized by the Mountain Home School District, applied to the newly formed Public Charter School Commission for charter approval and was approved. In 2004 Virtual Academy, originally authorized by the Butte County School District, also petitioned to transfer its charter authorization to the commission and was approved. I-DEA was approved in 2004 by the Whitepine Joint School District and applied to the commission for charter approval in 2006, but was denied. The school continues to operate under the Whitepine District. Finally, in 2005 INSPIRE was approved by the commission as a new virtual school.

## **Profiles of Idaho’s Virtual Schools**

The school profiles on the following pages show basic information about each of the four virtual schools and include maps of where students and teachers live for that school. The dots are not representative of total enrollment or individual teachers. Rather, they represent a zip code in which one or more students or teachers reside. For example, whether one student or ten students live in a zip code, only one dot would be used to represent that zip code.

Also, as shown on the following pages, enrollment at Idaho’s virtual schools ranged from 139 students at INSPIRE to 1,998 at Virtual Academy during the 2006–2007 school year. Schools serve grades ranging from K–12 at I-DEA to 9–12 at Richard McKenna. The schools have various approaches to the development and use of curriculum. Virtual Academy and INSPIRE use standardized curriculum and other services provided by national companies. I-DEA provides more flexibility to parents and students by allowing the parent to select curriculum and to structure their child’s instruction. Richard McKenna offers yet another approach, one where teachers develop lessons and tailor instruction specific to their individual classes.

## Exhibit 2.1: Timeline of Virtual Education in Idaho, 2001–2006

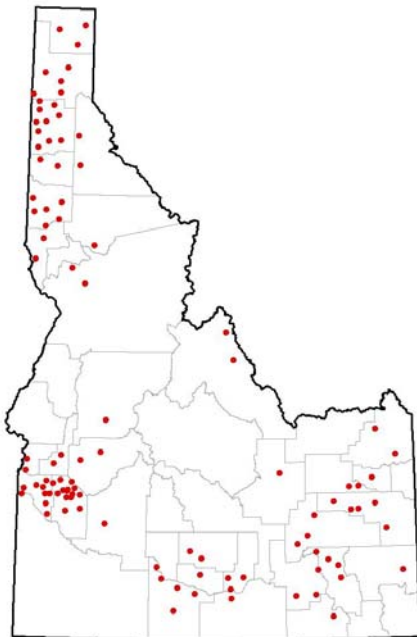


PCSC: Public Charter School Commission

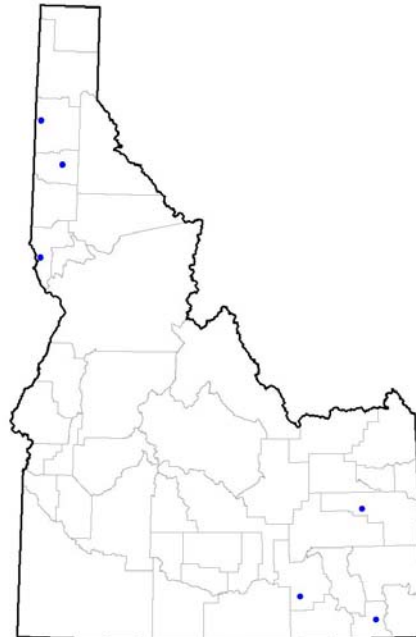
<sup>a</sup> Idaho originally passed the Public Charter School Act in 1998.

Source: Office of Performance Evaluations’ analysis of Idaho Code, Board of Education rule, approved school charters, and petitions submitted to the Public Charter School Commission.

## Idaho Distance Education Academy (I-DEA)



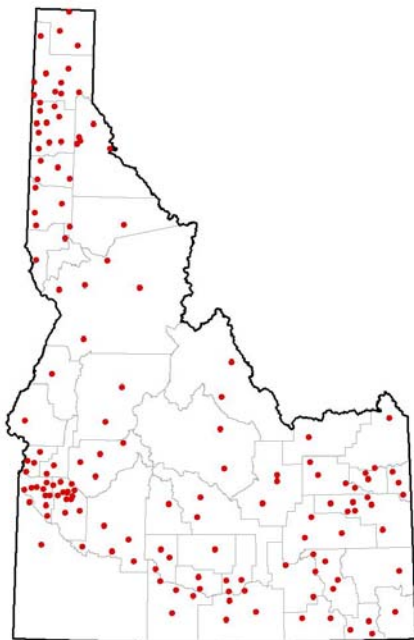
Student locations by zip code



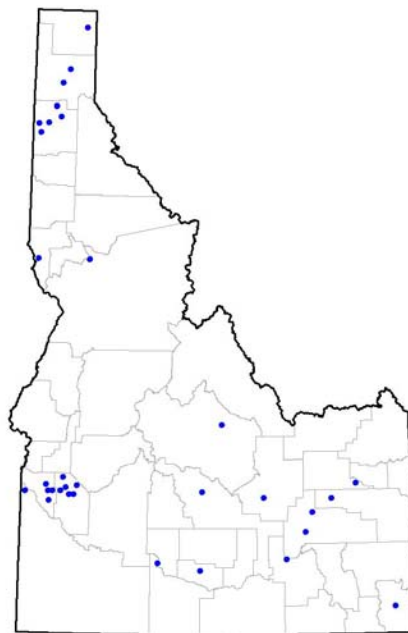
Teacher locations by zip code

<b>Charter Approval:</b>	The school was approved in 2004 by the Whitepine Joint School District.
<b>Business Office:</b>	Bovill (northern Idaho)
<b>Enrollment:</b>	I-DEA had 619 students enrolled in the first year of operations (2004–2005) and 1,169 students for the 2006–2007 school year. Of the parents responding to our survey, 27% reported their enrolled child had previously attended a traditional public school and 56% reported their child had been home schooled.
<b>Special Education:</b>	The school serves 30 students (3% of total enrollment) with special education needs.
<b>Grades Served:</b>	K–12
<b>Teachers:</b>	13
<b>Program Description:</b>	Parents generally select curricular materials that are then approved by a teacher. Parents also play the primary role in delivering instruction, using the computer as a tool to reinforce concepts. Student coursework is submitted quarterly by the parent and reviewed by a certified teacher.
<b>Accreditation:</b>	I-DEA is currently accredited by the state.
<b>Parent and Teacher Satisfaction:</b>	Of those responding to our survey, 98% of parents and 92% of teachers said they are either satisfied or very satisfied with their experiences at the school.

## ***Idaho Virtual Academy (Virtual Academy)***



*Student locations by zip code*

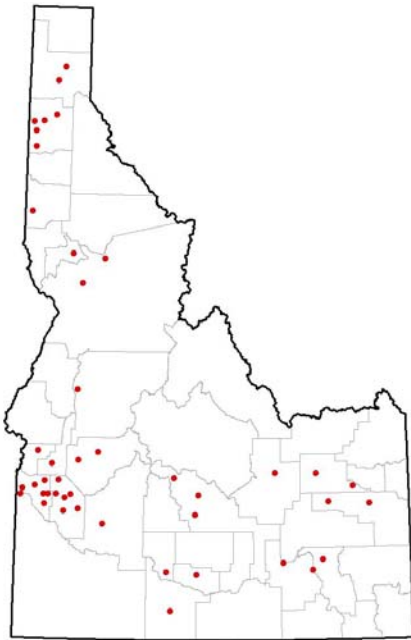


*Teacher locations by zip code*

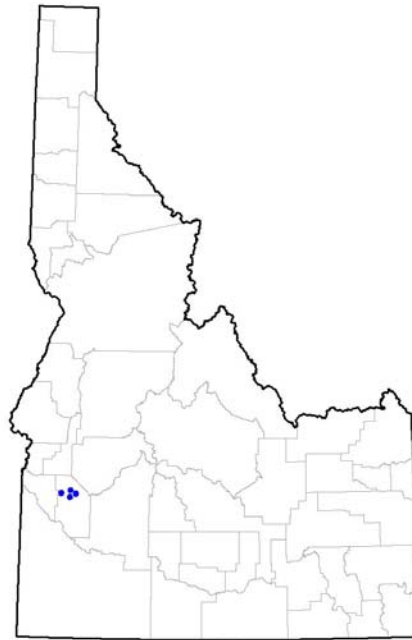
<b>Charter Approval:</b>	The school was originally approved in 2002 by the Butte County School District and then in 2004 by the Public Charter School Commission.
<b>Business Office:</b>	Boise
<b>Enrollment:</b>	Virtual Academy had 998 students enrolled in the first year of operations (2002–2003) and 1,998 students for the 2006–2007 school year. Of the parents responding to our survey, 52% reported their enrolled child had previously attended a traditional public school and 24% percent reported their child had been home schooled.
<b>Special Education:</b>	The school serves 136 students (7% of total enrollment) with special education needs.
<b>Grades Served:</b>	K–10, with plans to add one additional grade each successive year through grade 12.
<b>Teachers:</b>	57
<b>Program Description:</b>	K12 Idaho LLC, part of a national company, provides many educational services to the school including the curriculum, web-based communications and instructional tools. Instruction is delivered through an online school, but students also complete coursework away from the computer using books, workbooks, math tools, equipment, etc. Parents and teachers work together to determine how often coursework is submitted to a teacher for review.
<b>Accreditation:</b>	Virtual Academy is currently accredited by the state and provisionally accredited by the Northwest Association of Accredited Schools (NAAS).
<b>Parent and Teacher Satisfaction:</b>	Of those responding to our survey, 96% of parents and 93% of teachers said they are either satisfied or very satisfied with their experiences at the school.



## ***INSPIRE Connections Academy (INSPIRE)***



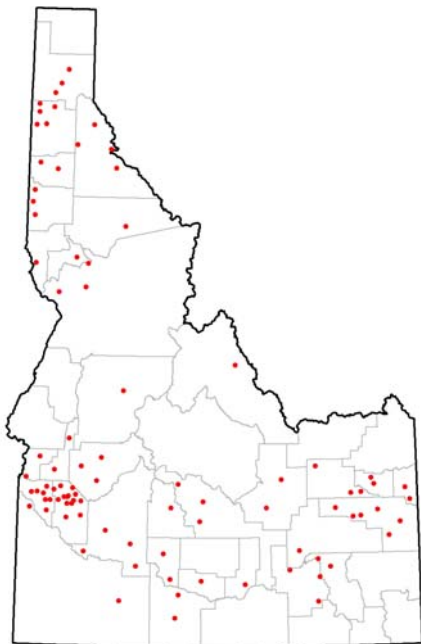
*Student locations by zip code*



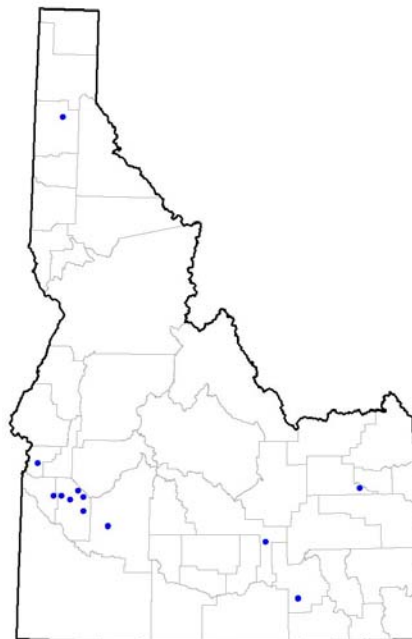
*Teacher locations by zip code*

<b>Charter Approval:</b>	The school was approved in 2005 by the Public Charter School Commission.
<b>Business Office:</b>	Boise
<b>Enrollment:</b>	INSPIRE had 136 students enrolled in the first year of operations (2005–2006) and 139 students for the 2006–2007 school year. Of the parents responding to our survey, 59% reported their enrolled child had previously attended a traditional public school and 28% reported their child had been home schooled.
<b>Special Education:</b>	The school serves 11 students (8% of total enrollment) with special education needs.
<b>Grades Served:</b>	K–10
<b>Teachers:</b>	5
<b>Program Description:</b>	Instruction is delivered through an online school using daily lesson plans and curricular materials provided by the Connection Academy LLC, part of a national company. Teachers create a personalized learning plan for each student whose progress is tracked through a school management system. The online school electronically indicates what coursework a student submits to a teacher, and families submit additional work six times per year. Also, teachers work from a central office.
<b>Accreditation:</b>	INSPIRE is accredited by the state and provisionally accredited by the Northwest Association of Accredited Schools (NAAS).
<b>Parent and Teacher Satisfaction:</b>	Of those responding to our survey, 97% of parents and 75% of teachers said they are either satisfied or very satisfied with their experiences at the school.

### ***Richard McKenna Charter High School (Richard McKenna)***



*Student locations by zip code*



*Teacher locations by zip code*

<b>Charter Approval:</b>	The school was originally approved in 2002 by the Mountain Home School District and then in 2004 by the Public Charter School Commission.
<b>Business Office:</b>	Mountain Home
<b>Enrollment:</b>	Richard McKenna had 124 students enrolled in the first year of operations (2002–2003) and 295 students for the 2006–2007 school year. Of the parents responding to our survey, 83% reported their enrolled child had previously attended a traditional public school and 13% reported their child had been home schooled.
<b>Special Education:</b>	The school serves 6 students (2% of total enrollment) with special education needs.
<b>Grades Served:</b>	9–12
<b>Teachers:</b>	23
<b>Program Description:</b>	Teachers design, develop, and deliver courses. Students access the instructional materials over the Internet and are also provided with some supplemental instructional materials through other means. Teachers instruct through web pages, telephone, e-mail, electronic multimedia, paper products, and face-to-face instruction. In addition to its virtual school that is open to all students, the school also operates a separate on-site program for at-risk students.
<b>Accreditation:</b>	Richard McKenna is currently accredited by the state and by the Northwest Association of Accredited Schools (NAAS).
<b>Parent and Teacher Satisfaction:</b>	Of those responding to our survey, 88% of parents and all of the teachers said they are either satisfied or very satisfied with their experiences at the school.

## ***Other Virtual Programs in Idaho***

In addition to the four virtual schools, there are at least two types of virtual programs currently operating in Idaho:

**Idaho Digital Learning Academy.** The Digital Learning Academy was authorized by the Legislature in March 2002.<sup>6</sup> A new section of code (title 33 section 55) was created to address the Digital Learning Academy. As a unique program in the state, it operates within the Department of Education as a supplemental, online education program for grades 7–12. Students cannot enroll fulltime in the program or graduate from the Digital Learning Academy. Rather, students enroll through their local school for various reasons, including taking a class not available at their school, making up credit hours, or resolving a scheduling conflict.

Idaho Code requires that the Digital Learning Academy hire a curriculum and instruction coordinator to train faculty in online course design, development, and delivery. It also requires the Digital Learning Academy to hire fully certified faculty and teaching staff to design and deliver planned curriculum content.<sup>7</sup>

Code requires the Board of Education to establish rules for the Digital Learning Academy that address the special circumstances created through reduced face-to-face contact between students and teachers. To address these requirements, the board adopted rules in June 2006. These rules focus primarily on appropriate student conduct, but do require faculty to contact students within the first month of classes. Contact is defined as “phone, regular mail, e-mail, or other technological means.”<sup>8</sup>

**Idaho Leadership Academy.** Leadership Academy operates both an on-site program and a virtual program. The school was approved in 2002 as a “Magnet and Distance Learning Academy” by the Snake River School District. Leadership Academy applied to the Public Charter School Commission in 2004 for approval as a virtual school but was denied. The school continues to operate under the approval of the Snake River School District.

Staff at the Department of Education are not aware of any other school in Idaho offering a program similar to that of the Leadership Academy. However, the department does not have a process for determining whether any other school is offering a virtual program. Commission staff are also not aware of any other

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<sup>6</sup> IDAHO CODE § 33-5502.

<sup>7</sup> IDAHO CODE § 33-5504(b), (e).

<sup>8</sup> These proposed board rules are set to go into effect at the adjournment of the 2007 legislative session.

school offering virtual programs, but stated they would only be aware of a virtual program offered at a school they authorized.

Other schools in Idaho not meeting the definition of a virtual school may be operating virtual programs. Currently, state law does not appear to prohibit a school from offering a virtual or distance program. However, they are not subject to the same approval and oversight as the virtual schools discussed in this report.

## **Recommendation at a Glance**

In chapter 5, we discuss in detail one recommendation relating to our findings:

- The Legislature should address whether virtual distance learning programs be subject to operating requirements and oversight similar to those of virtual schools.

## Chapter 3

# Requirements for Virtual Schools

*Virtual charter schools in Idaho operate under a framework of state laws, rules, and other oversight mechanisms. Virtual schools are not required to comply with most rules made by the State Board of Education, but must comply with the general education laws of the state and the rules and laws that specifically apply to charter schools. Initial oversight of virtual schools occurs throughout the petition approval process. The Public Charter School Commission and the state accreditation process provide some ongoing oversight of virtual schools in operation. However, neither the approval nor oversight processes address key areas related to virtual education: curriculum development, delivery of instruction, and student-teacher contact.*

### General Requirements for Virtual Schools

In Idaho, virtual schools are public charter schools. As a result, virtual schools are generally subject to the same laws, rules, and requirements as other charter schools. Virtual schools are required to comply with the general education laws of the state unless specifically directed otherwise in charter school law.<sup>1</sup> Virtual schools are exempt from most Board of Education rules, but are required to comply with rules specific to charter schools.<sup>2</sup> These rules focus primarily on two areas: the petition approval process for new charter schools, and the chartering entity's responsibilities for approving a petition. This framework of laws and rules is consistent with federal charter school policy that focuses more on educational outcomes and allows charter schools flexibility in implementing state law.<sup>3</sup>

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<sup>1</sup> IDAHO CODE § 33-52.

<sup>2</sup> IDAHO CODE § 33-5210. Virtual schools are not exempt from rules related to teacher certification, school accreditation, eligibility for attendance at an alternative school, and employee criminal history checks.

<sup>3</sup> "Charter Schools Program," US Department of Education, <http://www.ed.gov/programs/charter/index.html>.

## ***Requirements Do Not Address Three Areas Fundamental to Virtual Schools***

The traditional school model serves as the frame of reference for how teaching and learning occurs at a school. A traditional school has a physical classroom and a teacher, curriculum approved by the school or district, and regular student-teacher contact that takes place as teachers provide instruction. This educational model has commonly understood definitions and meanings among policymakers, educators, parents, and students.

In a virtual school, operations related to curriculum development, delivery of instruction, and student-teacher contact are not commonly defined. Although charter school petition requirements and school oversight mechanisms cover a broad range of issues, nothing in either process addresses the areas of operation for virtual schools. As a result, the four virtual schools vary widely in how they operate.

Because these areas of virtual education are not part of the petition requirements, the state, the charter school commission, and parents may find it difficult to understand how a virtual school will operate or hold the school accountable once it begins enrolling students. This chapter looks at the current petition and oversight processes for virtual schools, and how the effectiveness of both processes is limited by a lack of focus on virtual schools. Chapter 4 provides details on how the current processes have affected each of the four virtual schools by discussing how each school develops curriculum, delivers instruction, and maintains student-teacher contact.

## **Petition Process**

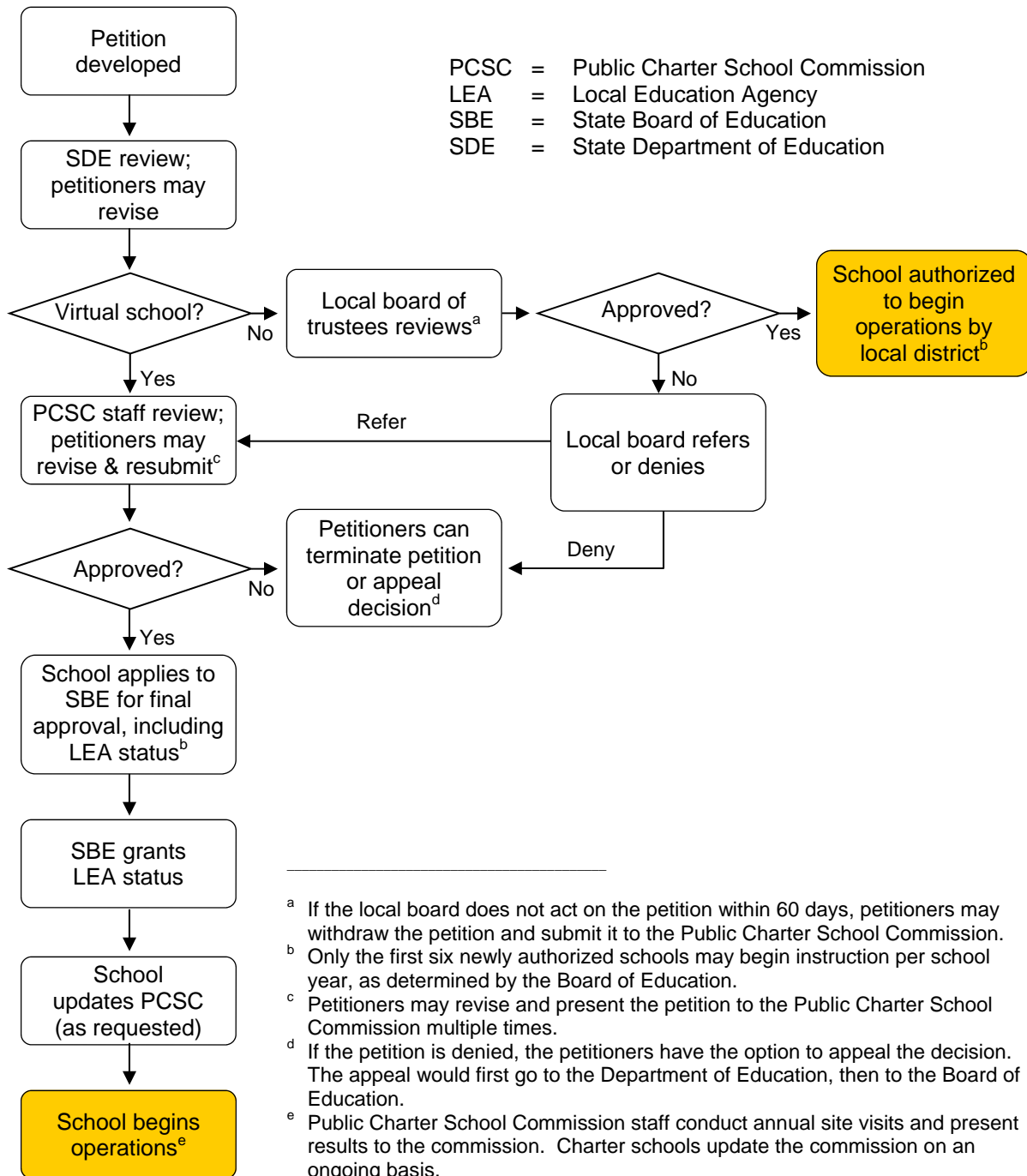
Exhibit 3.1 outlines the petition review and approval process for virtual schools. To begin a new virtual school, a petition must be first reviewed by the Department of Education and is then filed with the Public Charter School Commission.<sup>4</sup> The petition must provide details of the proposed educational program and school operations, as well as specify how the school will comply with state requirements for charter schools. A summary of these petition requirements is listed in exhibit 3.2.

As shown in exhibit 3.2, petition requirements are of two types: (1) those specified in both statutes and rules, and (2) those in rules only. Only one of these requirements is specific to virtual schools—how the school meets the definition of a virtual school. The rest are general requirements that a charter school—either brick and mortar or virtual—must meet. In other words, virtual

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<sup>4</sup> As of July 1, 2005, all petitions for a new virtual school must be filed with the Public Charter School Commission. The commission and the board (through appeal) are the only entities authorized to approve new virtual charter schools in Idaho.

### Exhibit 3.1: Petition Review and Approval Process for New Charter Schools, Including Virtual Schools



Source: Office of Performance Evaluations' analysis of Idaho Code § 33-5205, 5207; IDAHO ADMIN. CODE, IDAPA 08.02.04.204–206; and information from the Public Charter School Commission and the Department of Education.

**Exhibit 3.2: Summary of Petition Requirements**

<u>Requirements</u>	<u>Required in Idaho Code</u>	<u>Required in Rule</u>
Proposed educational program; address thoroughness standards (Idaho Code § 33-1612)	X	X
Measurable educational standards	X	X
Method to measure student progress	X	X
Standardized tests required	X	X
Compliance with accreditation requirements	X	X
School governance structure; process to ensure parental involvement	X	X
Instructional staff certified; personnel appropriately qualified	X	X
Admission procedures	X	X
Provisions regarding annual audit of programmatic and financial operations	X	X
Special education services	X	X
Dual enrollment procedures	X	X
Advertisement processes for proposed attendance area	X	X
Plan for termination	X	X
Facilities to be used; administrative services to be provided; potential effects on school and chartering entity	X	X
Plan of improvement if a need is identified by the No Child Left Behind Act		X
Student handbook and procedure to ensure parent or guardian access		X
Detailed business plan, including budget <sup>a</sup>		X
How school meets definition of a virtual school		X
Business arrangements or partnerships <sup>b</sup>		X

<sup>a</sup> Business plan includes business description, marketing plan, management plan, résumés of the directors of the nonprofit corporation, and financial plan.

<sup>b</sup> Includes partnerships with other schools, education programs, businesses, or nonprofit organizations and also includes copies of any contracts or lease agreements.

Source: Office of Performance Evaluations' summary of IDAHO CODE § 33-5205 and IDAHO ADMIN. CODE, 2006, IDAPA 08.03.01.401.



school petitions are not required to address how the school will provide instruction to students learning at home.

The department is required to review the initial petition to ensure it addresses all of the statutory requirements. This review is commonly known as the sufficiency review. The department provides written comments of its sufficiency review to the petitioner, who must include these comments with the final petition submitted to the commission.

The commission reviews the petition for compliance with statutory requirements as well as requirements only specified in rules. Once the initial review is complete, petitioners present the petition to the commission at a public hearing, and the commission then decides whether to approve it.<sup>5</sup> If approved, the petitioners are required to seek local educational agency (LEA) status from the board. At a date approved by the board, the school may begin operations. Any subsequent changes to the school's charter must be approved by the commission.

### ***Department's Role Is Very Limited in the Petition Process***

As discussed, the department reviews the petition to ensure all statutory requirements have been addressed. However, recommendations by the department are considered advisory because neither the petitioners nor the commission are required by statute or rule to respond to or act on the findings of the department.

Because the petitioners are not required to respond to the review or demonstrate how they have corrected deficiencies identified in the petition, the commission does not know whether appropriate changes were made. As a result, commission staff told us that they must review the petition for completeness and compare it against the department's findings before approving the petition. This places the burden on the commission, rather than the petitioners, to identify how the petition has been changed to address the department's concerns.

### ***Commission's Review Checklist Does Not Include All Requirements***

As part of the petition approval process, the commission has developed two checklists to aid in the review of charter school petitions. The commission recently developed the first checklist to determine whether the petition addresses all of the requirements. They use the second checklist to evaluate the petition in terms of quality, accuracy, and completeness.

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<sup>5</sup> The commission may also delay the decision, directing the petitioners to make revisions and present the petition at a future public meeting. If the petition is denied, the decision can be appealed to the Department of Education and then to the State Board of Education.

The commission's checklists are missing some petition requirements specified in rule:

- How the school meets the statutory definition of public virtual school
- Detailed business plan and a description of any business arrangements or partnerships
- Student handbook with assurance that the student's parent/guardian has access to it
- School's plan if it is identified as 'in need of improvement' under the No Child Left Behind Act

Commission staff stated that the checklists are only part of the petition review process; they also work closely with petitioners throughout the process. However, because the checklists are missing some requirements, compliance with those requirements could be overlooked.

## **Oversight of Virtual Schools**

The local governing board is required by State Board of Education rule to ensure that charter schools operate within their approved charter and comply with state and federal standards, laws, and rules. At the state level, board rule requires the commission to provide similar oversight. Law also requires all public schools, including virtual schools, to be accredited.

The commission's site visit form, discussed in the following sections, references board rules that do not apply to charter schools.<sup>6</sup> Commission and board staff stated that neither the commission nor the board has taken an official position regarding which board rules apply to charter schools. Because the commission is charged with providing oversight for the schools it approves, clarity regarding board rule would enhance the commission's ability to effectively provide this oversight.

### ***Current Oversight Does Not Address Key Areas of Virtual School Operations***

After the commission approves a school's petition and the school begins operations, the commission is required to provide continuing oversight of the school.<sup>7</sup> If the commission ever has reason to believe that a school is out of compliance, it is required to issue a written notice of defect to the school and, if

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<sup>6</sup> IDAHO CODE § 33-5210 exempts charter schools from most board rules.

<sup>7</sup> IDAHO CODE § 33-5210(2).

the issue is not corrected, may ultimately revoke the charter. The commission is also required to conduct a site visit to verify the existence of various documents, including:<sup>8</sup>

- Proof of instructional staff certification
- Proof of compliance with federal, state, and local rules
- School calendar including a daily schedule and instructional hours to be provided
- Accreditation reports
- Financial and programmatic audits
- All reports submitted to federal agencies and the state board and department
- Copies of any complaints filed

Commission staff have developed a site visit checklist to assist them in determining whether a school is complying with law, rule, and the terms of the approved charter. Exhibit 3.3 summarizes the checklist, which includes most of the petition requirements. This checklist is used for all charter schools the commission authorizes. It does not include any areas specific to virtual school operations.

The commission conducts annual site visits to schools and requires the schools to make a presentation at a public meeting each year. Three of the four virtual schools have been authorized by the commission.<sup>9</sup> One school, I-DEA, is governed by its local board of trustees, resulting in a different oversight structure than those schools under the commission. This difference in oversight means I-DEA does not participate in the same annual site visit or presentation to the commission as the other three schools.

### ***Charter School Commission Expressed Oversight Concerns in Some Areas***

We asked commissioners of the Public Charter School Commission about their perspective on virtual school oversight. Commissioners stated that their primary oversight role was to ensure compliance and provide support. However, they raised several areas of concern related to overseeing virtual school operations,

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<sup>8</sup> Additional requirements listed in IDAHO ADMIN. CODE, IDAPA 08.03.01.301.

<sup>9</sup> In 2006 I-DEA petitioned to transfer its charter to the commission, but the petition was denied partly because commissioners were concerned that I-DEA did not meet the definition of a virtual school. The Whitepine Joint District remains the school's authorized chartering entity. As part of its oversight role, the Whitepine School Board receives a monthly update from I-DEA and an annual presentation of the school's budget.

### **Exhibit 3.3: Summary of the Commission's Site Visit Checklist**

Curriculum aligns with state standards

Documentation for all federal programs operated

Grades to be added the next school year

Attendance records maintained

School complying with various financial requirements<sup>a</sup>

Teacher training and employee development provided

Outline of how school meets mission as stated in charter

Teachers document lesson plans as they relate to state and federal standards

Adequate classroom materials, technology, and textbooks available to all students

Students performing below grade level identified and provided with remedial instruction

Student evaluation process in place for periodic assessment in reading, writing, math, and science as indicated in the charter

High school graduation requirements align with board requirements

<sup>a</sup> Includes current year budget, use of acceptable accounting standards, monthly financial reports, and annual independent audit.

Source: Office of Performance Evaluations' summary of information provided in the Public Charter School Commission site visit checklist.

including curriculum development, student-to-teacher ratios, and student-teacher interaction.

Regarding whether there are any differences between petitions for virtual schools and brick and mortar charter schools, one commissioner said, “[T]here is one [difference] to my knowledge and that is for the virtual charter school petitioner to have a brief statement of how the school meets the definition of a public virtual school as defined by ... Idaho Code.” As noted earlier, this is the only requirement specific to virtual schools. However, several commissioners stated that statute needs to more clearly define the term *virtual school*:

We’re finding that the definition of a virtual school is being questioned and I feel strongly that we need to address this issue.

What is the real definition of a virtual school?

[We need] [c]learly defined guidelines of what the role for a virtual school is and what they need to be doing to be considered a ‘school’.

The charter statute needs to be better defined; what is a school, then differentiate between the virtual and a brick and mortar school.

### ***Accreditation Standards Are Not Specific to Virtual Schools***

As public schools, all virtual schools are required to be accredited. A school's accreditation is based on how well it complies with various standards. Two approved sets of standards are currently used by Idaho's virtual schools—those developed by the state and those developed by the Northwest Association of Accredited Schools (NAAS). State standards have no additional requirements for virtual schools. NAAS has some requirements for distance education, but they have no specific requirements for virtual schools. Both state and NAAS accreditation standards cover the following areas:

- Mission, vision, policies, leadership, and organization
- Proper staff certification
- Educational program, including curriculum, instruction, and assessment
- Learning environment, including facilities
- Continuous school improvement

Through a self-assessment, schools using state accreditation standards are required to report to the department every other year (beginning spring 2007) on how well they have met the standards. Schools using the NAAS standards are required to report to the department annually. Schools using the state standards do not currently receive a site visit to verify compliance with the standards. NAAS accredited schools receive a visit before initial "provisional" accreditation is granted, and then periodically following accreditation. I-DEA is currently accredited using state standards and the other three virtual schools are accredited using NAAS standards, further illustrating I-DEA's different oversight structure.<sup>10</sup>

### **Requirements for Virtual Schools in Other States**

The structure and oversight of virtual education varies greatly from state to state. Some states, such as Arizona, Minnesota, Nevada, Pennsylvania, and Utah have a statewide chartering entity. Other states, such as Kansas, Ohio, and Washington have virtual programs or schools that are authorized by local school districts. While Wyoming does not have laws regarding virtual education, it is considering a study of distance and virtual education programs.

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<sup>10</sup> An I-DEA administrator told us that they are in the process of applying for accreditation through Northwest Association of Accredited Schools.

Arizona and Nevada have extensive reporting requirements that virtual schools must comply with annually. These requirements include a description of the following:

- Educational services and curriculum offered
- Effects of technology on the delivery of special education services
- Test scores
- How academic performance compares with other students in the state
- Pupil and parent satisfaction survey results
- Operational and administrative efficiency of the program
- Cost-effectiveness of the program
- Analysis of the academic performance of pupils who were enrolled in the program before and after their participation

In Nevada, a school or district offering virtual education is required to report annually to its department of education and its legislative bureau of educational accountability and program evaluation. In Arizona, the board of education and the joint legislative budget committee are required by statute to collaboratively compile and evaluate information submitted in virtual schools' annual reports. They are required to report their findings to the governor, the speaker of the house, and the president of the senate. This reporting requirement places an additional level of oversight on each of the schools and allows the state legislature to have a better understanding of *how* and *how well* each virtual school is operating.

## Recommendations at a Glance

In chapter 5, we discuss in detail five recommendations relating to our findings:

- The Legislature should require that all virtual schools be approved only by the Public Charter School Commission.
- The Legislature should consider additional annual reporting requirements for virtual schools.
- The Board of Education should amend rules to require petitioners to address or respond to the Department of Education's findings in the sufficiency review.
- The Board of Education should seek clarification as to what specific sections of board rule apply to charter schools, including virtual schools.
- The Public Charter School Commission should include all petition requirements in the checklists it uses to review new charter petitions.

## **Chapter 4**

# **Variations in Virtual School Operations**

*Virtual charter schools are a recent addition to education in Idaho. The structure of these schools is much different than traditional schools and requires different considerations for effectively delivering instruction to students. Current statutory definitions do not adequately consider the design of virtual schools, nor do they provide specific information related to development of curriculum, how instruction will be delivered to a student, and the frequency of contact between teachers and students. As a result, the four virtual schools vary widely in these three key areas of operations.*

### **Vague Statutory Definitions Have Led to Variations in Three Key Areas of Virtual School Operations**

In a traditional school setting, students travel from their residences to a school, where they are directly supervised by an assigned teacher who structures a student's learning experience around a core curriculum. Coursework is delivered through classroom instruction and through assignments and homework that are reviewed and graded by a teacher. In a virtual setting, there is no classroom. Students and teachers are often at different locations, and information related to instruction and assignments is communicated via the Internet or other technologies. As a result, virtual schools operate differently than both traditional public schools and brick and mortar charter schools.

Idaho's statutory definitions do not currently provide clear guidance to assist virtual schools in developing educational programs. In response to our request, the Office of the Attorney General provided a letter of analysis regarding the current statutory definition of a virtual school (see appendix A). The response reads, in part:

Simply put, the statute provides no guidance by which to ascertain a definition of what 'virtual' means or to what it applies (teacher, curriculum, classroom, or something else).

As discussed in the following sections, we found wide variations in three key areas of virtual school operations: how virtual schools design curriculum, how instruction is delivered, and required contact between students and teachers. We also found major differences in how schools report expenditures, reflecting the

differences in how each school has designed and implemented its charter. Lastly, we found some areas of virtual school operations with minor differences, as well as some areas with little or no differences. These areas are described briefly in appendix B.

## **Area One: Curriculum Development**

In reviewing the curriculum development process at virtual schools, we found two aspects of curriculum and materials with significant differences among schools:

- How schools develop and design their curriculum
- How schools determine what activities can be counted towards a student's coursework

### ***Curriculum Vary from a Standard Set of Materials to Those Chosen by Parents***

As part of accreditation, public schools are required to have curriculum, instruction, and assessments that align with state standards. Each of the four schools has policies stating that its curriculum will align with Idaho standards. Accreditation standards also require schools to commit “sufficient” resources to curriculum development, evaluation, and revision. Within that framework, virtual schools have taken different approaches to developing curriculum.

Two schools, Virtual Academy and INSPIRE, use a standardized curriculum that they purchase from national companies that operate in other states. Richard McKenna pays its teachers to develop curriculum for their courses, while I-DEA allows parents to play the primary role in curriculum selection—which reflects this school's philosophy that parents should be the primary educator of their children. The curriculum or course development process for each school is explained in more detail in exhibit 4.1.

In our survey of parents and teachers, we asked parents about their overall experience at a virtual school. Nearly 600 parents provided comments about their experiences. These comments included numerous positive observations parents had about their school's curriculum, such as:

At this school, our child is able to learn from a much more diverse curriculum and has the opportunity to explore and learn at his own pace.

This school allows me to choose the curriculum that is best suited for my children ... this allows me to teach my children at the level they are instead of a specific grade level.



**Exhibit 4.1: Curriculum Development Process**

I-DEA (K–12)	Parents are encouraged to select materials from an approved vendor list, which align with state standards and meet the teaching objectives of the family. As requested, teachers assist families with curriculum advice and research subject matter questions. Once the family has selected a child's material for the year, an assigned teacher approves the request and materials are ordered. The school provides families with an allotment each year to cover the cost of approved materials. Religious materials are not acceptable and the school does not reimburse for such purchases.
INSPIRE (K–9)	School uses a standardized, pre-packaged curriculum that combines printed curricular materials with technology based learning. The curriculum incorporates various assessments for students to complete. Teachers can adjust the assignments to meet the needs of the student.
Richard McKenna (9–12)	Teachers are paid to design and develop online courses, with the school providing training and support for designing and developing courses.
Virtual Academy (K–10)	School uses a standardized, pre-packaged curriculum that combines printed curricular materials with technology based learning. This curriculum provides web-based assessments for each skill to be mastered. Teachers focus on curriculum implementation, ensuring coverage of the content, and answering curriculum questions. When necessary, teachers also personalize the curriculum to meet the needs of the child.

Source: Office of Performance Evaluations' survey of parents and teachers at Idaho's virtual schools, December 2006.

Our school has lessons laid out in a structured manner, and my son progresses through them with little input from me. He is able to progress through more challenging material this way, and it prepares him for the structure of classes he will encounter in college.

The curriculum is very advanced and highly adaptable—my child is able to work at her own pace and excel in every area.

Additionally, in our survey we asked how teaching materials and lessons are developed at each school. As shown in exhibit 4.2, responses generally aligned with how the schools define their curriculum development process.

### ***Policies Generally Do Not Define Activities That Count as Coursework***

In a traditional public school, a student is considered in attendance if “a pupil is physically present for the full day under the guidance and direction of a teacher or other authorized school district personnel while school is in session.”<sup>1</sup> At

<sup>1</sup> IDAHO ADMIN. CODE, IDAPA 08.02.01.250.03.

**Exhibit 4.2: Parent and Teacher Responses on the Development of Teaching Materials and Lessons**

I-DEA	66% of parents and 92% of teachers said that teaching materials and lessons are either developed by parents or through a partnership of parents and teachers.
INSPIRE	69% of parents and all teachers who responded said their materials are pre-packaged.
Richard McKenna	Parents were divided as to whether they said materials are pre-packaged (35%) or developed by a teacher (46%) and 75% of teachers said they developed their teaching materials.
Virtual Academy	88% of parents and 87% of teachers said their materials are primarily a pre-packaged set of materials.

Source: Office of Performance Evaluations' survey of parents and teachers at Idaho's virtual schools, December 2006.

virtual schools, there is no definition of daily attendance. In reference to daily attendance minimums, the Office of the Attorney General noted, "Idaho Code and the rules are silent as to how attendance is to be determined at a public virtual school." As a result, virtual schools have implemented various policies to monitor the time students spend doing coursework.

Exhibit 4.3 shows that each of the schools has different criteria for activities that qualify as coursework and different processes for recording those activities. Virtual Academy and INSPIRE give some examples of activities that may count as coursework and have some coursework that is completed on the computer. I-DEA, Virtual Academy, and INSPIRE do not explicitly define what other activities are considered coursework. Only Richard McKenna limits coursework to those assignments assigned by and submitted to a teacher.

## **Area Two: Delivery of Instruction**

Once a school selects curricular materials and lessons, the focus then becomes how the school will deliver its instruction. In reviewing how each of the four virtual schools implements its program, we found significant differences in how computers are incorporated into daily instruction, how work samples are selected and reviewed by certified teachers, and how much time parents spend supervising their child's work on a day-to-day basis. As discussed in the following sections, three of the schools rely heavily on parental involvement as part of the educational process.

### Exhibit 4.3: Activities That Count Toward Coursework at Virtual Schools

	<u>Eligible Activities</u>	<u>How Coursework Is Recorded</u>
I-DEA	School board policy provides annual attendance requirements and specifies that attendance sheets should reflect whether students are actively participating and meeting academic and coursework state requirements. Policy does not define coursework.	Parents are instructed to go online Monday mornings to complete weekly hours for each class and absences. Timesheets are reviewed by I-DEA staff to help gauge a student's academic progress.
INSPIRE	If a student completes a "fair" amount of coursework, he or she is considered present. School policies do not further define fair. Activities that may also count toward attendance are music lessons, team sports, and academic contests or fairs.	Parents are instructed to record student's attendance to the online school. Lessons in the online school estimate the amount of time each task will take. When students complete an assignment, the system automatically records those hours, as well as time for quizzes and tests.
Richard McKenna	Only the completion of assigned tasks can count toward attendance.	Teachers assign an estimated time to complete an assignment and a student is considered in attendance once the assignment is completed. The total time for all assignments in a course equals 90 hours per semester.
Virtual Academy	School defines attendance as the actual time a student is engaged in curriculum-related activities. These activities must take place under the direct supervision of a responsible adult and can be online or off-line, as appropriate. Examples of acceptable activities include visits to a museum or meetings with experts, such as geologists.	Parents are instructed to track and record all coursework in an online system. Students are expected to work 12.5 hours/week in kindergarten, 22.5 hours/week in grades 1–3, 25 hours/week in grades 4–8, and 27.5 hours/week in grades 9–12.

Source: Office of Performance Evaluations' analysis of policy manuals and parent handbooks.

### ***Computers Are Not Always the Primary Method of Instruction***

Idaho statute defines a virtual school as one that provides instruction to all of its students primarily through "virtual distance learning or online technologies." However, this definition does not clearly specify what portion of a student's work should be done online or on a computer. In its analysis, the Office of the Attorney General stated:

Statute does not explain whether "virtual distance learning" is different from "online technologies," nor does it contain criteria by which to define or distinguish those terms.

Because of the minimal statutory guidelines as to how virtual schools should deliver instruction, schools have incorporated technology into their programs to varying degrees, based on both program design and the age of their students. For example, staff at INSPIRE stated that the school adjusts the amount of technology it uses to an appropriate level for the age and grade of students.

While each of the four schools combines traditional textbooks with the Internet to deliver instruction, they differ as to whether the Internet is used as the primary means to deliver instruction or serves as a supplement to the school's program. As described below, I-DEA uses the Internet to supplement traditional textbooks, while the other three schools use textbooks to supplement their use of the Internet.

<b>School</b>	<b>Primary Method of Instruction</b>
I-DEA	Parents are provided with full access to the I-DEA website, but use the printed materials they select as the primary method of instruction. The computer is used to reinforce concepts and is not the primary source for instruction.
INSPIRE	Curriculum is delivered through the Internet, integrating textbooks, lesson plans, and other content. Students are expected to log in daily and complete assigned tasks, which are automatically graded. Teachers can log in and review a student's performance and any missing assignments.
Richard McKenna	Courses provide various approaches to instruction, including the use of e-mail, telephone, web pages, electronic presentations, paper products, and face-to-face instruction. Students are given a specific number of assignments to complete and submit. Teachers can log in and review a student's percentage of coursework completed at any time.
Virtual Academy	Instruction is delivered through an online school with supplemental texts and materials. Students are expected to log in daily and complete various assignments, as indicated by the online school. Some assignments are web-based and are scored instantly, while others are completed in a workbook. Teachers have access to students' progress through the online school.

A "work sample" is selected coursework a student has completed in a certain subject and can include items such as math worksheets, art projects, or essays that are submitted to a teacher for review.

### ***Parents Sometimes Choose What Assignments a Teacher Reviews***

As each of the virtual schools has a different curriculum structure and mechanism for delivering instruction, they also have different requirements for the submission of work samples and assignments. Exhibit 4.4 highlights the differences in how work samples are selected, submitted, and evaluated at each of the four schools.

**Exhibit 4.4: Work Sample Submission at Virtual Schools**

	<u>Work Sample Selection Process</u>	<u>Frequency of Submission</u>	<u>Grading and Feedback</u>
I-DEA	Parents select samples of their child's work in each of the four core subjects: language arts, math, social studies, and science. Each sample should specify the Idaho standard it aligns with.	Work samples are submitted four times per year. Parents complete initial grading on quarterly progress reports and submit to a teacher for review.	Teachers are required to review and evaluate work samples and progress reports.
INSPIRE	Portfolio items are pre-determined as part of the online program. Parents do not have a choice for which samples are submitted.	Portfolio items are submitted six times per year. High school students submit them electronically.	Teachers are required to grade assignments, enter grades in a database, and return grades to families within five work days.
Richard McKenna	Students must complete and submit all assignments to the teacher's satisfaction.	Each course is nine weeks long and students submit work throughout those nine weeks as assigned.	Teachers are required to grade and return assignments within 48 hours.
Virtual Academy	Teachers select work samples (may use school guidelines) and collect them from students on a regular basis. Parents are responsible for submitting the requested samples.	Frequency of submission is determined through communications between the parents and the teacher.	Teachers use an informal grading system combined with online assessments to assign grades.
Source: Office of Performance Evaluations' analysis of school policies, procedures, and employee handbooks.			

All of the virtual schools require students to submit work samples or assignments to a teacher for review. At Richard McKenna, this takes place through the frequent submission of required assignments. Virtual Academy also requires the regular submission of work samples beyond what is completed through the online school, but the frequency is determined after consultation between the parent and the teacher. INSPIRE requires parents to submit work samples six times per year, with additional work submitted electronically through daily assignments. I-DEA requires parents to submit work samples quarterly.<sup>2</sup> These differences in submission requirements reflect how each school has developed its curriculum. At Richard McKenna, for example, the

<sup>2</sup> Beginning in the 2007–08 school year, instead of using work samples students will share a portfolio of student-selected coursework twice per year, which is designed to demonstrate student progress and involve students, parents, and teachers.

coursework is developed and provided directly to students by teachers, who then make decisions about how and when a student submits work. At I-DEA, where parents make the primary decisions about their child's curriculum and coursework, parents also select what coursework a teacher reviews.

### ***Parents Often Spend Significant Time Supervising Their Child's Work***

At a virtual school, parents often spend a significant amount of time supervising their child's work. In our survey, 70 percent of parents who responded said their child completed more than 20 hours of coursework per week. Regarding parental supervision, nearly half of respondents also said they spend 10 to 20 hours per week supervising their child's work, and 34 percent said they spend more than 20 hours.

In our survey, we also asked parents what types of activities are part of supervising their child's work. Of the 906 comments we received, responses generally fell into five major categories: providing instruction, answering questions or providing other assistance, correcting work, administering tests and grading work, and supervising their child's work. The most frequent response addressed how parents provide instruction to their child. Parents provided examples of the types of instructional activities they engage in:

Introducing new topics, reading to children, supervising the work, correcting work, re-teaching if necessary, discussion, helping with hands on projects, science projects, and technology assistance.

Explaining materials, teaching new concepts, reading the lessons, reading the books, correcting the lessons, typing everything in the computer, reviewing the assessments, explaining the materials that were not understood.

Reading, explaining, providing examples, linking the material to information studied previously; brainstorming ideas, picking projects, internet research, consulting with teacher.

Reading over and correcting work, explaining new concepts, making sure she understands her work, finding interesting websites to supplement her book learning. Supervising science experiments and art projects, watching videos appropriate to her lessons.

## **Area Three: Student and Teacher Contact**

In a traditional classroom setting, direct communication between a student and a teacher is part of daily interactions—teachers structure the lessons so that students can participate and ask questions. In a virtual school, there is no

classroom, which changes the interactions between students and teachers. In response to our request, the Office of the Attorney General noted that the statute defining virtual school “fails to detail the level or amount of direct ... instruction a student must receive from a certificated teacher.”

In our review, we found that contact between a student and a teacher is not always a school requirement. In some cases, we found parents and teachers often communicate more frequently than students and teachers. Additionally, we found that student-to-teacher ratios generally exceed accreditation guidelines, which may impact how often a teacher and student communicate.

### ***In Some Cases Students and Teachers Never Communicate***

While students at all virtual schools are assigned to a certified teacher, the types and frequency of interaction between students and teachers vary among schools. In a few cases, students never have direct communication with their teacher and all correspondence takes place between the parent and the teacher.

Because Idaho statute does not define or specify the levels and types of direct contact a student must have with his or her teacher at a virtual school, school policies regarding communication vary significantly among the four schools. As shown below, Richard McKenna requires the most communication, directing its teachers to contact students weekly, while Virtual Academy encourages student and teacher communication at least monthly, with more frequent communication through bi-monthly conference calls and/or e-mails. I-DEA does not have specific policies requiring a teacher and a student to directly communicate. An administrator noted that teachers do communicate with their students, except in situations where a parent will not allow such communication.

<b>School</b>	<b>Student and Teacher Contact Requirements</b>
I-DEA	None.
INSPIRE	Teachers must initiate contact with students at the beginning of the year and must speak to each student at least once per quarter.
Richard McKenna	Teachers are required to contact students weekly and must establish office hours equivalent to 15 minutes per enrolled student per week. (Example: 20 students x 15 minutes per student = 300 minutes or 5 office hours per week).
Virtual Academy	The school requires, at a minimum, monthly conference calls with the student, the parent, and the teacher, with communication generally occurring at least twice a month. The calls should allow for up to 30 minutes per student.

Although school policies do not generally specify how and when students will interact with their teachers, we did observe teachers at two of the virtual schools communicating with students. At one school, we listened as a teacher spoke on the phone with a parent about her child’s reading and then asked the child to read

aloud from a workbook. The teacher followed along in her version, asking the child questions about the text. At another school, we observed a teacher as he replied to students' e-mails and answered phone calls.

In our survey of parents and teachers at each of the virtual schools, we asked questions related to communication between students and teachers. Specifically, we asked who initiates contact and how often contact occurs. As shown in exhibit 4.5, teachers and parents responding to our survey were generally consistent about who initiates communication between teachers and students and how often that communication occurs. I-DEA teachers and parents reported the least amount of communication between students and teachers, with the majority of respondents saying communication takes place less than once a month or never. Richard McKenna teachers reported the most amount of communication with their students, averaging once a week or more.

### ***Parents and Teachers Often Communicate More Than Students and Teachers***

At virtual schools, parents are an integral part of their child's education. At three of the schools, parents play a significant role in supervising their child's daily activities. As shown below, these three schools have policies for teachers that dictate how often teachers should be communicating with parents and policies for parents that include parental responsibilities. Richard McKenna does not have policies regarding communication between parents and teachers, but an administrator from that school said parents receive e-mails from teachers, receive progress reports from the school, and have access to a parent's page through the school website. This lack of policy may be because Richard McKenna is a high school, and teachers rely less on communicating with parents because they directly communicate with students.

<b>School</b>	<b>Parent and Teacher Contact Requirements</b>
I-DEA	Teachers are required to regularly contact families and communicate with parents through telephone calls, e-mails, and conferences. Parents are required to check their e-mail regularly. School policies do not further specify how often contact should occur. Beginning in the 2007–2008 school year, teachers are required to communicate with parents three times per month.
INSPIRE	Teachers are required to contact the family every two weeks, either through e-mails, phone calls, or other means. Parents are required to sign an agreement as part of their child's enrollment at the school, in which they agree to have contact with their assigned teacher at least once every two weeks.
Richard McKenna	None.
Virtual Academy	Teachers are required to contact parents at least monthly. Parents are required to have regular communication with a teacher, either through monthly conference calls or e-mails. Parents are also expected to check their e-mail at least once per day.



## Exhibit 4.5: Survey Responses on Student and Teacher Contact

### Teacher Survey

*Most frequent responses are in **bold**.*

On average, how often do you contact your students? (Including in-person, telephone, e-mail, etc.)

	Never →	Less Than Once Per Month	Once Per Month →	2–3 Times Per Month	Once Per Week →	More Than Once Per Week
I-DEA <i>n</i> =12		<b>92%</b>		8%		–
INSPIRE <i>n</i> =4		–		<b>75%</b>		25%
Richard McKenna <i>n</i> =8		–		–		<b>100%</b>
Virtual Academy <i>n</i> =30		–		<b>60%</b>		40%

On average, how often do your students contact you? (Including in-person, telephone, e-mail, etc.)

I-DEA <i>n</i> =12	<b>100%</b>	–	–
INSPIRE <i>n</i> =4	–	<b>75%</b>	25%
Richard McKenna <i>n</i> =8	–	13%	<b>88%</b>
Virtual Academy <i>n</i> =30	13%	<b>53%</b>	33%

### Parent Survey

On average, how often does your child's teacher contact him or her? (Including in-person, telephone, e-mail, etc.)

	Never →	Less Than Once Per Month	Once Per Month →	2–3 Times Per Month	Once Per Week →	More Than Once Per Week
I-DEA <i>n</i> =301		<b>66%</b>		23%		12%
INSPIRE <i>n</i> =31		6%		<b>52%</b>		42%
Richard McKenna <i>n</i> =73		16%		41%		<b>42%</b>
Virtual Academy <i>n</i> =490		14%		<b>54%</b>		32%

On average, how often does your child contact his or her teacher? (Including in-person, telephone, e-mail, etc.)

I-DEA <i>n</i> =301	<b>80%</b>	14%	6%
INSPIRE <i>n</i> =32	25%	34%	<b>41%</b>
Richard McKenna <i>n</i> =74	15%	<b>47%</b>	38%
Virtual Academy <i>n</i> =494	<b>49%</b>	33%	18%

Note: Percents may not sum to 100 due to rounding.

Source: Office of Performance Evaluations' survey of parents and teachers at Idaho's virtual schools, December 2006.

## Exhibit 4.6: Survey Responses on Parent and Teacher Contact

### Teacher Survey

*Most frequent responses are in **bold**.*

On average, how often do you contact your students' parents? (Including in-person, telephone, e-mail, etc.)

	Never →	Less Than Once Per Month	Once Per Month →	2–3 Times Per Month	Once Per Week →	More Than Once Per Week
I-DEA <i>n</i> =12	–		<b>83%</b>		17%	
INSPIRE <i>n</i> =4	–		25%		<b>75%</b>	
Richard McKenna <i>n</i> =8	13%		<b>75%</b>		13%	
Virtual Academy <i>n</i> =30	–		<b>53%</b>		47%	

On average, how often do your students' parents contact you? (Including in-person, telephone, e-mail, etc.)

I-DEA <i>n</i> =12	33%	<b>67%</b>	–
INSPIRE <i>n</i> =4	–	<b>75%</b>	25%
Richard McKenna <i>n</i> =8	13%	<b>75%</b>	13%
Virtual Academy <i>n</i> =30	7%	<b>60%</b>	33%

### Parent Survey

On average, how often does your child's teacher contact you? (Including in-person, telephone, e-mail, etc.)

	Never →	Less Than Once Per Month	Once Per Month →	2–3 Times Per Month	Once Per Week →	More Than Once Per Week
I-DEA <i>n</i> =294	4%		44%		<b>51%</b>	
INSPIRE <i>n</i> =31	–		<b>52%</b>		48%	
Richard McKenna <i>n</i> =72	<b>54%</b>		33%		13%	
Virtual Academy <i>n</i> =493	5%		42%		<b>53%</b>	

On average, how often do you contact your child's teacher? (Including in-person, telephone, e-mail, etc.)

I-DEA <i>n</i> =294	17%	<b>60%</b>	23%
INSPIRE <i>n</i> =30	–	<b>60%</b>	40%
Richard McKenna <i>n</i> =72	<b>54%</b>	39%	7%
Virtual Academy <i>n</i> =493	18%	<b>58%</b>	24%

Note: Percents may not sum to 100 due to rounding.

Source: Office of Performance Evaluations' survey of parents and teachers at Idaho's virtual schools, December 2006.

As shown in exhibit 4.6, we asked parents and teachers at the four virtual schools how often they communicate with each other. Responses from both parents and teachers generally showed that communication with each other occurred at least once a month. Richard McKenna was the only exception, with teachers reporting lower rates of communication.

### ***Student-to-Teacher Ratios Are Higher Than Accreditation Guidelines***

State accreditation guidelines recommend that schools meet specific student-to-teacher ratios depending on grade levels:

Grades K–3	20 students to 1 teacher
Grades 4–6	26 students to 1 teacher
Grades 7–higher	160 total student load

These guidelines apply to all school districts and were not written to specifically address the home-based arrangement of virtual schools. Virtual schools have more students assigned to each teacher than is typically seen at a brick and mortar school. Each of the four virtual schools has a different policy regarding maximum student-to-teacher ratios that varies from a low of 50 students to one teacher at INSPIRE, to a high of 133 students to one teacher at Richard McKenna. None of the schools specifically identify whether ratios change based on the grade level of their students. However, Richard McKenna is the only virtual school that is solely a secondary school and has the most specific guidelines regarding ratios. These differences are detailed in exhibit 4.7.

In our survey of teachers, we asked about the number of students they teach. As shown in exhibit 4.8, survey responses from teachers at each of the four schools show that reported student-to-teacher ratios are generally consistent with school policy.

### **Spending at Virtual Schools Reflects Differences in Program Structures**

As part of our review, we asked each of the four virtual schools to categorize a portion of their expenditures in four major areas—salaries, purchased services, supplies and materials, and capital objects. A summary of the reported expenditures in these four areas is provided in exhibit 4.9. As shown, Virtual Academy and INSPIRE reported spending a significant portion of their budget on purchased services. I-DEA also reported allocating a large percentage to purchased services, but spent an equal amount on salaries. Only Richard McKenna reported allocating most of its budget to salaries.

**Exhibit 4.7: Policies on Student-to-Teacher Ratios**

I-DEA (K–12)	Maximum of 100 students to 1 teacher, or about 50 families; school also provides family representatives, who are not certified, and serve as liaisons between families and teachers.
INSPIRE (K–9)	A maximum ratio of 50 students to one teacher.
Richard McKenna (9–12)	Full-time teachers may teach up to 133 students, and part-time teachers are limited to no more than 33 students per day.
Virtual Academy (K–10)	A ratio of 60 students to one teacher, or a maximum of 35 families.

Source: Office of Performance Evaluations' analysis of virtual school policies and Department of Education data, fall 2006.

**Exhibit 4.8: Teacher Responses on Student-to-Teacher Ratios**

I-DEA	58% of respondents said they teach 76 to 100 students.
INSPIRE	All of the teachers who responded said they teach 30 to 50 students.
Richard McKenna	50% of respondents said they teach 51 to 75 students, while 35% of respondents said they teach fewer than 30 students.
Virtual Academy	60% of respondents said they teach 51 to 75 students.

Source: Office of Performance Evaluations' survey of teachers at Idaho's virtual schools, December 2006.

As shown in exhibit 4.10, Richard McKenna reported spending a higher percentage of its budget on salaries for certified staff than the other three virtual schools. This spending is consistent with Richard McKenna's practice of directly hiring teachers and administrative staff. I-DEA reported allocating small portion of its expenditures to non-certified classroom staff, which reflects I-DEA's use of family representatives to work directly with families. Virtual Academy was the only school to report no expenditures for certified administrative staff; Virtual Academy has contracts in place for its day-to-day management.

### Exhibit 4.9: Reported Expenditures by Category, School Year 2005–2006

	I-DEA Students = 937		INSPIRE Students = 136		Richard McKenna Students = 254		Virtual Academy Students = 1,766	
	<u>Expenditure</u>	<u>%</u>	<u>Expenditure</u>	<u>%</u>	<u>Expenditure</u>	<u>%</u>	<u>Expenditure</u>	<u>%</u>
Salaries	\$1,230,359	33%	\$211,946	23%	\$1,026,349	69%	\$1,375,385	17%
Benefits	332,357	9	69,059	7	152,385	10	544,282	7
Purchased services	1,237,173	33	395,517	43	216,120	15	4,981,269	60
Supplies and materials	650,462	17	243,351	26	73,340	5	1,327,143	16
Capital objects	294,382	8	0	0	18,030	1	15,045	<1
Other <sup>a</sup>	<u>21,744</u>	1	<u>6,456</u>	1	<u>0</u>	0	<u>40,877</u>	<1
TOTAL	\$3,766,477		\$926,329		\$1,486,224		\$8,284,001	

Note: Percents may not sum to 100 due to rounding.

<sup>a</sup> Includes debt retirement, insurance and judgments, and transfers.

Source: Office of Performance Evaluations' analysis of 2005–2006 IFARMS data and of information provided by the virtual schools.

### Exhibit 4.10: Reported Salary Expenditures, School Year 2005–2006

	I-DEA		INSPIRE		Richard McKenna <sup>a</sup>		Virtual Academy	
	<u>Amount</u>	<u>%</u>	<u>Amount</u>	<u>%</u>	<u>Amount</u>	<u>%</u>	<u>Amount</u>	<u>%</u>
Certified instructional/classroom	\$568,036	15%	\$129,965	14%	\$570,637	38%	\$1,343,540	16%
Certified administrative/non-classroom	308,591	8	81,981	9	182,840	12	0	0
Non-certified classroom	126,397	3	0	0	0	0	0	0
Non-certified administrative/other	227,335	6	0	0	45,527	3	31,845	<1

Note: Percents are figured on the total expenditures of the school.

<sup>a</sup> The four categories listed in this exhibit do not cover all salary expenditures.

Source: Office of Performance Evaluations' analysis of information provided by the virtual schools.

As shown exhibit 4.11, Virtual Academy reported that it categorizes spending primarily in the area of professional education services, including curriculum improvement, counseling, and contracted instructional services. I-DEA and INSPIRE also reported allocating a significant portion of their expenditures for administrative services and professional education services. Richard McKenna reported spending the least amount on these services, totaling 7 percent of its expenditures.

#### **Exhibit 4.11: Reported Purchased Services Expenditures, School Year 2005–2006**

	I-DEA <sup>a</sup>		INSPIRE <sup>a</sup>		Richard McKenna <sup>a</sup>		Virtual Academy	
	<u>Amount</u>	<u>%</u>	<u>Amount</u>	<u>%</u>	<u>Amount</u>	<u>%</u>	<u>Amount</u>	<u>%</u>
Administrative services	\$520,260	14%	\$145,956	16%	\$89,395	6%	\$126,310	2%
Professional educational services	406,507	11	64,320	7	11,026	1	3,447,513	42
Other professional & technical services	28,026	1	28,079	3	34,207	2	302,521	4
Computer and related equipment rental	0	0	101,378	11	0	0	726,975	9
Communication services	119,340	3	9,326	1	33,242	2	377,950	5

Note: Percents are figured on the total expenditures of the school.

<sup>a</sup> The five categories listed in this exhibit do not cover all purchased services.

Source: Office of Performance Evaluations' analysis of information provided by the virtual schools.

Virtual Academy and INSPIRE use contractors to provide many of the same types of services, such as personnel and management services, maintenance of student records, and providing curriculum and instructional materials. However, Virtual Academy categorized its purchased services as professional educational services, while INSPIRE categorized more of its costs as administrative services. These variations in reported expenditures occur because guidelines do not address what materials or contracts are appropriate for virtual school operations. Therefore, we have suggested a review of virtual school funding and expenditures as an area for future study, which is discussed in more detail in chapter 5.

## **Recommendations at a Glance**

In chapter 5, we discuss in detail two recommendations relating to our findings:

- The Legislature should clarify the definition of a public virtual school to make a distinction between virtual schools and virtual programs, and to address the role of the teacher, curriculum development, and how instruction is delivered.
- The Public Charter School Commission should analyze the relationship between variations in virtual school operations and student outcomes.





## **Chapter 5**

# **Conclusions and Recommendations**

When charter schools were created in Idaho, they provided an additional choice and increased flexibility for education within the public school system. Virtual charter schools have further expanded these possibilities, allowing students in any part of the state to enroll in a public school while present at a different location than their teacher.

As charter schools, virtual schools are exempt from most of the rules that govern other public schools and have flexibility in how they design and implement their programs. Our review of Idaho statutes and rules has shown there is oversight of virtual schools throughout the petition approval process and some oversight processes are in place for schools in operation. However, neither of these processes address areas specific to virtual schools. Additionally, Idaho Code provides only a general definition of what a virtual school is and does not provide specific information to define school operations. As a result, operations at each of Idaho's virtual schools vary widely in key areas of the development of curricular materials, delivery of instruction, and the types and frequency of contact between teachers and students.

Because virtual schools are a relatively recent addition to education, the focus of our report is not to determine how well these schools are performing or whether they are meeting the specific objectives of their charters. Rather, our focus is on providing the Legislature with a better understanding of how current requirements for virtual schools are met, and how these requirements impact the structure and operations of each school. Our recommendations are designed to help improve the system of virtual education in Idaho.

We have provided recommendations for the Legislature, the Board of Education, and the Public Charter School Commission that would provide a more comprehensive framework for virtual schools to operate. Based on our review of virtual school operations in Idaho, we recommend the current statutory definitions should be expanded to include curriculum development, delivery of instruction, and student and teacher contact. We also ask the Legislature to consider the role of virtual programs within the traditional public education model, and whether the Legislature wishes to consider requiring additional oversight of *any* public school that uses virtual distance learning as part of their method of instruction.

In addition, we recommend that the commission work with Idaho’s virtual schools to examine the relationship between flexibilities in virtual school operations and student outcomes. Lastly, we provide two areas for future study related to: (1) local governance and oversight, and (2) school finances.

## Recommendations to Clarify Statutes

1. The Legislature should clarify the definition of a public virtual school—this would provide more specific information for new virtual schools to include in their petitions and would establish clearer criteria to use in determining which existing schools in Idaho meet that definition.

In our review of other states with virtual schools, we found several statutory definitions that the Legislature may find useful. These definitions highlight ways other states have defined concepts related to virtual education, but the Legislature may decide additional definitions are necessary, including definitions to make a clear distinction between virtual schools and virtual programs.

The examples below contain some key terms or phrases that help define the role of the teacher, curriculum development, and how instruction is delivered to the student.

### Summary of Statutory Definition

Curriculum	District or school adopted programs and written plans for providing students with learning experiences that lead to expected knowledge and skills. <sup>a</sup>
Cyber charter school	The school uses technology in order to provide a significant portion of its curriculum and to deliver a significant portion of instruction to its students through the Internet or other electronic means. <sup>b</sup>
Distance education	Instruction is delivered by means of video, computer, television, correspondence, or the Internet or other electronic means of communication, or any combination thereof, in such a manner that the person supervising or providing the instruction and the pupil receiving the instruction are separated geographically for a majority of the time during which the instruction is delivered. <sup>c</sup>

<sup>a</sup> MINN. STAT. § 120B.11(b) (2005).

<sup>b</sup> 24 PA. CONS. STAT § 17-1703-A (2006).

<sup>c</sup> NEV. REV. STAT. § 388.826.

**Summary of Statutory Definition—continued**

Internet- or computer-based community school	A community school...in which the enrolled students work primarily from their residences on assignments in non-classroom-based learning opportunities provided via an internet- or other computer-based instructional method that does not rely on regular classroom instruction or via comprehensive instructional methods that include internet-based, other computer-based, and non-computer-based learning opportunities. <sup>d</sup>
Online learning	An interactive course or program that delivers instruction from a teacher to a student by computer; is combined with other traditional delivery methods that include frequent student assessment and may include actual teacher contact time; and meets or exceeds state academic standards. <sup>e</sup>
Textbook	Printed instructional materials or digital content, or both, and related printed or non-printed instructional materials, that are written and published primarily for use in school instruction. <sup>f</sup>
Virtual school	Any kindergarten or grades one through 12 course offered for credit that uses distance-learning technologies which predominantly use internet-based methods to deliver instruction and for which the course content is available on an "anytime, anyplace" basis, but the instruction occurs asynchronously with the teacher and pupil in separate locations, not necessarily located within a local education agency. <sup>g</sup>

<sup>d</sup> OHIO REV. CODE ANN. 3314.02(7) (Anderson 2006).<sup>e</sup> MINN. STAT. ANN. 124D.095.<sup>f</sup> ARIZ. REV. STAT. § 15-721G (2006).<sup>g</sup> KAN. STAT. ANN. § 72-6407(a)(3)(p).

2. The Legislature should require that all statewide virtual schools be approved by the Public Charter School Commission, by a date specified by the Legislature. Current statute requires that all new petitions for a virtual charter school be submitted to the commission but does not address existing virtual schools. By requiring all virtual schools to be authorized by the commission, it will help to ensure that all virtual schools are subject to the same oversight.
3. The Legislature should consider additional annual reporting requirements for virtual schools. These requirements may include a description of the school's education program and curriculum, test scores and academic performance, how technology affects the delivery of special education services, operational efficiency, and students' overall satisfaction (see chapter 3 for example).

4. The Legislature should address whether *any* public school that uses virtual distance learning as part of its method of instruction should be subject to operating requirements and oversight similar to those for virtual schools. Currently, schools that do not meet the definition of a virtual school could offer virtual courses or programs without any specific guidance or oversight. This recommendation would have implications for *all* public schools, not just charter schools or virtual charter schools.

## Recommendations to Strengthen Oversight

5. The Board of Education should amend rules to require petitioners to address or respond to the Department of Education's findings. Current rule requires the department to conduct sufficiency reviews and requires petitioners to forward the review to the authorized chartering entity, but does not require petitioners to formally respond to the department's findings or to address deficiencies.
6. The Board of Education should seek clarification as to what specific sections of board rule apply to charter schools, including virtual schools. As part of the Public Charter School Commission's oversight role, the board and commission should have a clear understanding of what rules virtual schools are subject to.
7. The Public Charter School Commission should include all petition requirements (specified in rule) in the checklists it uses to review new charter petitions.
8. The Public Charter School Commission should analyze the relationship between variations in virtual school operations and student outcomes. Should the Legislature implement recommendation 3, the commission may be able to use some of the reported information to aid in its analysis.

## Areas for Future Study

In this study, we focused our review on school operations and state-level oversight. Areas for future study could focus on local governance and oversight of virtual school finances:

1. A study could look into the *local* governance structure and oversight provided at each of Idaho's virtual schools. In addition to the authorized chartering entity (such as the Public Charter School Commission—the focus of the current study), local school boards of virtual schools are required to ensure that the school is complying with applicable laws and rules.

2. A study could provide a more in depth review of virtual school funding and expenditures. Although the current study provides a brief overview of self-reported expenditure data, it does not look into levels of funding at each school, the types of services schools are contracting for, and whether the current funding structure aligns with virtual school operational needs.



***Appendix A***

**Letter from the Office of the  
Attorney General**







RECEIVED

DEC 19 2006

PERFORMANCE EVALUATIONS

STATE OF IDAHO

OFFICE OF THE ATTORNEY GENERAL

LAWRENCE G. WASDEN

December 19, 2006

Rakesh Mohan, Director  
Office of Performance Evaluations  
Idaho Legislature  
STATEHOUSE MAIL

Re: Public Virtual Charter Schools

Dear Mr. Mohan:

Recently you sought the assistance of this office in clarifying the statutory language pertaining to virtual charter schools. You raised pertinent questions about phrases contained in Idaho Code § 33-5202A(6).

Simply put, the statute provides no guidance by which to ascertain a definition of what "virtual" means or to what it applies (teacher, curriculum, classroom, or something else). The statute does not explain whether "virtual distance learning" is different from "on line technologies," nor does it contain criteria by which to define or distinguish those terms. In terms of practical application, the statute is silent with respect to how a student in a virtual classroom completes coursework or submits it to a teacher and fails to detail the level or amount of direct (face-to-face) instruction a student must receive from a certificated teacher.

Two definitions were included in your correspondence. One pertains to "virtual distance learning" and the other to "online technologies." You ask whether these definitions, if adopted, would change the intent of the statute to "virtual distance learning and online technologies." You also inquire whether either or both of these definitions might "stand alone."

The statute appears to consider "virtual distance learning" as separate from "online technologies." If adopted, the proposed definitions would reinforce that distinction. The proposed definition of "virtual distance learning" focuses on the method of instruction or the learning relationship. The proposed definition of "online technologies" focuses instead on the technology utilized to communicate the instruction, the technology by which the learning takes place. A question then arises as to whether "online resources," as used in the proposed definition of virtual distance learning, means the same thing as "online technology." Note, too, that the proposed definition of "online technology" actually contains two definitions.

By asking whether these definitions might "stand alone," you are inquiring whether these definitions provide sufficient guidance by which to address the remaining questions that have been raised. The answer is no. In fact, these definitions, while helpful, raise additional issues. Resolution of those issues will require further definition of several terms. "Asynchronous or synchronous," "interactive instruction," "interact," and "daily access," are some of the terms that would require further explanation.

The proposed definitions do not provide sufficient guidance or clarity with which to address the concerns that have been raised. In order to address these concerns, a careful review of the accreditation requirements for public schools might be in order. Among other things, accredited public schools must utilize curriculum and other instructional materials that have been approved by the State Board of Education, adhere to specific daily attendance requirements, and employ teachers who are duly certificated. Idaho Code §§ 33-118, 33-119, 33-1002(5), and 33-1201; IDAPA 08.02.01.250. These requirements provide a useful outline of topics to be addressed in order to assure that public virtual schools maintain an identity separate and apart from other state-recognized educational environments.

In order to obtain public funding, public schools must comply with detailed laws and rules that set forth clear minimum standards. These standards, established by the State Board of Education, establish the requirements that must be met in the curriculum to be delivered, the method of delivery, the teacher, and all other aspects of the educational experience. If state virtual public schools are to share equally in the benefits available to state public schools, they must be required to adhere to a similar set of standards. To do so, it may be necessary to legislatively designate an agency with authority to adopt and clarify those standards.

This letter is provided to assist you. It represents an informal and unofficial expression of the views of this office based on the research of the author. If I can be of further assistance in this matter, please do not hesitate to contact me.

Sincerely,



S. KAY CHRISTENSEN  
Division Chief  
Contracts & Administrative Law Division

SKC/js

c: William A. von Tagen

## Appendix B

# Additional Information on Virtual School Operations

### Differences in Operation

As we reviewed virtual school policies, we found additional areas of virtual school operations that varied among schools. As detailed in the following sections, these differences include how virtual schools ensure that students are Idaho residents and the type of equipment the school provides to its students.

**Residency Determination.** In order for a student from another state to attend school in Idaho, state law requires districts to charge appropriate fees that the Board of Education must approve. Administrators from each of the virtual schools stated they only enroll Idaho residents. As part of our review, we asked administrators at the four virtual schools how they ensure their students are Idaho residents. Three of the schools, I-DEA, Virtual Academy, and INSPIRE said they verify residency by checking various documents, such as utility bills, housing documents, or other related materials. Richard McKenna verifies residency through its computer system, which prevents a student from registering if they do not provide an Idaho address.

Administrators also confirmed that schools send curricular material to students at the beginning of each semester, which must be to an Idaho address. INSPIRE has an additional requirement that materials can only be used at the address where materials were shipped unless the school approves materials to be used at another location.

**Technology and Equipment.** Virtual schools incorporate computers and related technology into their program delivery. Because no clear requirements exist regarding technology and equipment for virtual schools, schools differ as to whether they provide computers to enrolled families or simply provide the technical specifications a family must meet. For those schools that do provide computers, each school policy specifically states that all equipment remains the property of the school and must be returned once a child's enrollment is completed or terminated. I-DEA, INSPIRE, and Virtual Academy also include provisions for enrolled families to receive at least partial reimbursement for their monthly internet connection:

- Upon request, I-DEA provides families with a computer and printer/scanner. Enrolled families receive a financial allotment each year, and the cost of the equipment is deducted from their allotment.

- INSPIRE provides families with appropriate equipment, including a computer and printer.
- Richard McKenna does not provide students with any equipment; students must have a computer, printer, and internet connection that meets the school's specifications.
- Virtual Academy provides a computer or broadband internet and printer to enrolled students. If two or more children in a family are working at a 4<sup>th</sup> grade level or higher, the family can request an additional computer.

## Little or No Variation in Operations

Idaho statute and rule contain specific requirements for all public schools in teacher certification, delivery of special education services, and standardized testing. Because virtual schools are subject to these requirements, school policies are generally consistent in each of these areas.

**Teacher Certification.** Statute and rule specify that all instructional staff in a public school be certified teachers.<sup>1</sup> A review of school policies showed that the four virtual schools have policies to address the requirement that all teachers have a valid Idaho teaching certificate. Our review of teaching certificates confirmed that teachers at each virtual school hold valid Idaho teaching certificates.

**Special Education.** Statute requires that all charter schools comply with the Individuals with Disabilities Education Act.<sup>2</sup> Each of the four virtual schools has policies regarding the delivery of special education services for students who qualify. While the effectiveness of these policies was not the focus of our report, we did observe staff from one virtual school as they worked with several students receiving special education services at a learning center. These lessons were delivered in person and involved direct interaction between the student and the teacher.

In an interview with one virtual school administrator, he noted that students struggling academically are placed on an intervention plan. If a parent does not want to comply with these requirements, they have the option of withdrawing from the school. In our survey of families enrolled at the virtual schools, we received numerous comments, including the following, from parents saying they were satisfied with the services they received.

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<sup>1</sup> IDAHO CODE § 3-5205(3)(g), and IDAHO ADMIN. CODE, IDAPA 08.02.02.

<sup>2</sup> IDAHO CODE § 33-5205(3)(q).

My daughter has dyslexia and we were told by a public school that they did not have the time or money to deal with that particular learning disability .... I don't know where we would be without the support from our school.

My child has special needs. We are provided with the resources and assistance we need for these special needs. My son gets the one-on-one teaching he needs to excel and the resources and support to give him the best chance to succeed.

We have found that our son has made significant gains in all areas of his life, especially academics. He is currently functioning at or near his grade-level in all areas. We are certain this would not be the case if he has stayed in a typical classroom ...

**Standardized Testing.** Statute requires that all children enrolled in a public school, including virtual schools, participate in standardized tests. Statute also requires that all charter school petitioners must specify in their charter petition how children enrolled “will be tested with the same standardized tests as other Idaho public school students.”<sup>3</sup> Each virtual school administers the same standardized tests and is subject to the same reporting requirements as other public schools.

Regarding test administration, each school has policies addressing how statewide tests will be proctored. Statewide tests are administered at a testing facility, and require the student to travel to the facility and take any tests under the supervision of a school approved proctor. According to information provided by the Department of Education for the 2005–06 school year, all of the virtual schools participated in the Idaho Standards Achievement Test at a rate that exceeded the state’s goal. The state’s goal is a participation rate of 95 percent, and each of the schools reported a rate of at least 98 percent.

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<sup>3</sup> IDAHO CODE § 33-5205(3)(d).



# **Responses to the Evaluation**







## IDAHO STATE BOARD OF EDUCATION

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March 1, 2007

Mr. Rakesh Mohan, Director  
Office of Performance Evaluations  
PO Box 83720  
Boise, ID 83720-0055

Re: Response to Report on Virtual School Operations

Dear Mr. Mohan:

Thank you for this opportunity to respond to your report on Virtual School Operations. The State Board of Education (SBOE) looks forward to working with the legislature and the Public Charter School Commission to address the recommendations that you set forth in your report.

More specifically, the SBOE will address the following recommendations:

6. The SBOE will amend Board rules to require charter petitioners to either address or respond to the State Department of Education's findings outlined in the sufficiency review. This clarification should make it easier for the potential authorized chartering entity to determine if the petitioners addressed the concerns outlined in the sufficiency review.
7. The SBOE will clarify which specific sections of rule apply to virtual schools.

Thank you again for your thorough report. It has been a pleasure working with you and your staff.

Sincerely,

A handwritten signature in blue ink that reads "Karen Echeverria".

Karen L. Echeverria  
Deputy Director





P.O. Box 83720  
Boise, ID 83720-0027

**STATE OF IDAHO**  
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION  
**Mr. Tom Luna**

Phone (208) 332-6815  
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March 5, 2007

Mr. Rakesh Mohan  
Director, Office of Performance Evaluations  
PO Box 83720  
Boise, ID 83720-0055

Dear Mr. Mohan,

After reviewing the report from the Office of Performance Evaluations (OPE) on Virtual School Operations, the State Department of Education (SDE) would like to commend you and your team for producing such high quality work. It has been a pleasure to work with you and your staff throughout the review process. We appreciate your department's thoroughness in research and the follow through they have provided. The SDE appreciates having the opportunity to provide some brief comments regarding the recommendations from Chapter 5 of the report.

As you may already know I am in support of choice in public education. In an effort to be responsive to the electorate with its request for an increase in choices in education, I view Virtual Charter Schools as an effective tool in the delivery of niche educational opportunities for parents and students. As we increase choice in education, the responsibility to increase accountability also follows. We must be vigilant in ensuring that accountability in education continues to be accomplished at a high level.

While I am not a member of the Idaho Public Charter School Commission, the need to cultivate a healthy and open partnership still exists. The SDE will continually work to develop that relationship further. As the Commission moves to implement the recommendations of the OPE, the SDE will actively observe the process and offer advice when applicable. Since I am a member of the State Board of Education (SBOE), I would like to comment on Recommendation 5 of the report:

Recommendation 5 – The current rule regarding sufficiency review does not require petitioners to formally respond to the department's findings or to address deficiencies. In an effort to assist petitioners in achieving compliance, the SDE would be happy to work to amend rules to provide additional technical assistance from the department to the petitioners to address deficiencies in the sufficiency review. The SDE would be willing to provide enhanced technical assistance during the review process.

Thank you for your work on this exhaustive report. If there is any need for further discussion, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Luna", with a long, sweeping horizontal line extending to the right.

Tom Luna  
Superintendent of Public Instruction





## IDAHO PUBLIC CHARTER SCHOOL COMMISSION

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March 1, 2007

Mr. Rakesh Mohan  
Director, Office of Performance Evaluations  
PO Box 83720  
Boise, ID 83720-0055

Dear Mr. Mohan:

Thank you for your well-researched Virtual School Operations report. Working with your staff has been a pleasure, and the Public Charter School Commission (Commission) appreciates this opportunity to offer the following response to several recommendations from Chapter 5 of the report:

Recommendation 2 – While the Commission recognizes the potential value of standardized oversight for all virtual schools, difficulty is likely to arise from a legislative requirement that authorizing authority over all existing virtual schools be transferred to the Commission. Specifically, philosophical differences of opinion may exist between the Commission and some district-authorized virtual schools. Furthermore, a legislative transfer requirement would conflict with the I.C. 33-5205A, which states that the original authorizer, charter school, and proposed new authorizer must all agree to a transfer in order for such transfer to occur.

Recommendation 3 – As a means of obtaining the listed information, the Commission suggests that State Board of Education (SBOE) rule be amended to clarify the requirements of the programmatic audit that all public charter school must submit annually. This would eliminate the need for an additional report for virtual schools while providing needed guidance regarding the programmatic audit and ensuring authorizer receipt of key data.

Recommendation 7 – The Commission will update the forms used as part of its petition review process to better reflect the elements of a charter school petition required in rule.



Recommendation 8 – The Commission agrees that an analysis of virtual school operations and student outcomes would be beneficial. However, such research does not fall under the responsibility of an authorized chartering entity as described by IDAPA 08.02.04.301, Rules Governing Public Charter Schools, or the Commission responsibilities included in IDAPA 08.03.01, Rules of the Public Charter School Commission. It is important to recognize that the Commission's role is limited to that of an alternative authorizer for charter schools that are unable to obtain authorization at the district level.

Thank you again for your report. Please don't hesitate to contact me if I may provide further assistance.

Sincerely,



Tamara L. Baysinger  
Charter Schools Program Manager

Cc: Karen Echeverria, Deputy Director, SBOE  
Luci Willits, Chief of Staff, SDE  
Jennifer Swartz, Deputy Attorney General

## Office of Performance Evaluations Reports Completed 2004–Present

Publication numbers ending with “F” are follow-up reports of previous evaluations. Publication numbers ending with three letters are federal mandate reviews—the letters indicate the legislative committee that requested the report.

<u>Pub. #</u>	<u>Report Title</u>	<u>Date Released</u>
04-01	Higher Education Residency Requirements	January 2004
04-02	Fiscal Accountability of Pupil Transportation	January 2004
04-03	School District Administration and Oversight	January 2004
04-01F	Management of State Agency Passenger Vehicles	January 2004
04-02F	Public Works Contractor Licensing Function	March 2004
04-03F	Timeliness and Funding of Air Quality Permitting Programs	June 2004
04-04F	Idaho Child Care Program	June 2004
04-05F	Idaho’s Medicaid Program	June 2004
04-04	Strategic Planning and Performance Measurement	December 2004
05-01	Public Education Technology Initiatives	January 2005
05-02	Child Welfare Caseload Management	February 2005
05-01HTD	Use of Social Security Numbers for Drivers’ Licenses, Permits and Identification Cards	February 2005
05-01F	Management of Correctional Data	March 2005
05-03	Idaho School for the Deaf and the Blind	October 2005
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06-01	Management in the Department of Health and Welfare	February 2006
06-02	Idaho Student Information Management System (ISIMS)—Lessons for Future Technology Projects	August 2006
06-01F	Public Works Contractor Licensing Function	August 2006
06-02F	Idaho Child Care Program	August 2006
06-03F	Timeliness and Funding of Air Quality Permitting Programs	August 2006
06-04F	Fiscal Accountability of Pupil Transportation	August 2006
06-05F	School District Administration and Oversight	August 2006
06-06F	Public Education Technology Initiatives	August 2006
06-07F	Higher Education Residency Requirements	August 2006
07-01	Use of Average Daily Attendance in Public Education Funding	February 2007
07-02	Virtual School Operations	March 2007

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